

<b>Item No.</b> N/A	<b>Classification:</b> Open	<b>Date:</b> 23 May 2023	<b>Decision maker:</b> Cabinet Member for Neighbourhoods, Leisure and Parks
<b>Report title:</b>		St George's Way - Decision on experimental traffic filter	
<b>Ward(s) or groups affected:</b>		Peckham, Faraday and St Giles	
<b>From:</b>		Head of Highways	

## RECOMMENDATION(S)

That the Cabinet Member for Neighbourhoods, Leisure and Parks:

1. Considers the consultation and monitoring report (Appendix A) summarising the wider views on the modal filter installed on St George's Way.
2. Approves proposals to implement the modal filter under a permanent traffic management order replacing the experimental traffic management order. This supports the Council's Streets for People aspirations.
3. Instructs officers to proceed to statutory consultation and return to the Cabinet Member with a report should objections be received at this stage.
4. Approves the removal of the fixed physical barriers and their replacement with an Automated Number Plate Recognition (ANPR) camera to allow for access for the emergency services.

## BACKGROUND INFORMATION

5. This report makes recommendations for the future of the experimental modal filter on St George's Way, which went live from February 2022.
6. During the first six months of the Experimental Traffic Order, ('TMO2122-EXP16\_St George's way') we received in total 55 representations regarding this scheme. The concerns are outlined in Table One. Full details and officer responses can be found in Appendix B.

**Table One**

<b>Reason for objection</b>	<b>Number</b>
Sends vehicles past a school	13
Increased pollution	11
Increased traffic on minor roads	8
General disruption	8
Makes short journeys harder	8
More traffic on major roads	8
Reduces emergency vehicle access	3
Pollution on surrounding roads	2
Unfair to those who pay road tax	2
Inadequate consultation	2
Cyclists use Burgess Park to travel	2
Through traffic on Chandler Way	1
Planters need to be maintained	1
Support the scheme	1
Feel trapped in the area	1
St George's Way no longer feels safe at night	1
Use cameras instead	1

7. This filter was implemented as part of the wider Southwark Spine, a north to south cycle route starting at Elephant and Castle and finishing in Dulwich. This section also includes a two-way cycle track on Commercial Way as well as a cycle crossing on Peckham Road. The two-way cycle track is currently on hold due to a nearby development. The Peckham Road junction is currently in outline design.
8. The modal filter is intended to reduce the amount of through traffic in the area and promote walking and cycling by making it more convenient to use those modes. All properties remain accessible by motor vehicle for those who need it.
9. Officers conducted a public consultation between 20 January 2023 and 26 February 2023. This included sending out flyers to 2,594 addresses, directly contacting organisations in the area such as places of worship and Tenants and Residents Associations as well as sending out emails via our Empowering Communities Team. Questions focused on the impact of the scheme and whether residents and visitors would like to keep, remove or amend the closure.
10. The following consultees were notified during the course of the consultation: London Ambulance Service, London Fire Brigade, Metropolitan Police Service, TfL Buses, Freight Transport Association, the Road Haulage Association, Transport for London, Southwark Disablement Association, Southwark Disability Forum, Southwark Cyclists, Living Streets and London Travel Watch.
11. London Ambulance Service asked that the filter be enforced with a camera rather than planters in the future to allow access for the emergency services.
12. Monitoring for this scheme was undertaken in three batches, one prior to

implementation in March 2022 as baseline data, one in June 2022 post implementation and one in March 2023 as follow up data. This data shows that post implementation there was a decrease in traffic on St George's Way and Wells Way, but a considerable increase in traffic on Samuel Street. Further details can be found in Appendix A.

## **KEY ISSUES FOR CONSIDERATION**

13. 620 responses were received during the consultation period, which is a 24% response rate. This is high for this type of consultation.
14. 50% of respondents would like to keep the closure as it is and 45% of respondents would like to see the closure removed. 77% of respondents stated that they are residents.
15. A majority of those who said they were a resident (55%) wanted to see the filter removed and most people who stated they were visitors or passers wanted to see the filter kept as it is (87%).
16. Those who stated that they were nonwhite were less likely to request for the filter to remain, whereas those who stated that they were white were more likely to state that they wanted to keep the filter.
17. Full details of the responses to the equalities questions can be found in Appendix A, responses from those who stated they live on a street in the area are more reflective of the community in terms of ethnicity, which shows that the results of the consultation may have been influenced by those passing through.
18. A petition against the closure was forwarded to the Highways team. At the time of writing, this petition had 403 signatures.
19. Respondents to this consultation over represent those from a white ethnic background with a 48% response rate compared to 26% in the census. 37% of those who responded were black, which means that those with a black ethnic background are underrepresented compared to 49% in the census. The Asian community were also slightly underrepresented in this consultation with a 7% response rate compared to 9% in the census.
20. Officers recommend that the scheme continues in its current form and the modal filter is made permanent as each individual objection has been duly considered and a comprehensive response provided as set out in Appendix B. IT is not considered that any of the points made in the objections warrant a change or amendment to the original proposals.

## **Policy framework implications**

21. The proposals contained within this report are consistent with the Missions 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
22. The proposals contained in this report are consistent with the actions contained in the council’s climate action plan, in particular:
- F.1.vi – Improve access to walking in the borough and actively promote this as a zero-carbon method of transport.
23. The proposed scheme fully supports and aligns 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**

24. The council’s Movement Plan has been subjected to an equalities impact assessment. The missions within the Movement Plan have been upheld in this report.
25. 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.
26. The proposals support the council’s equalities and human rights policies and promote social inclusion by:
- i. Improving road safety, in particular for vulnerable road users including people walking, cycling and wheeling, on the public highway by reducing the amount of motor vehicles travelling through the area.
  - ii. Maintaining access to all properties by motor vehicle, but working to improve air quality by discouraging unnecessary journeys by motor vehicle by making them slightly less convenient. According to the census 2021, 58.9% of residents in the North West Peckham area do not own a car.
  - iii. Reducing the amount of through traffic will promote social inclusion by creating an area less focused on the passage of vehicles and more focused on place and people.
  - iv. There is a risk that there will be less natural surveillance along St George’s Way with less motor vehicles using it, however, it is thought

that this also provides an alternative to using the park at night and residential frontages are still present along this road.

27. While noting the benefits and risks identified above, the recommendations are not considered to have a disproportionate effect on any particular age, disability, faith or religion, ethnicity or sexual orientation.
28. This traffic filter serves the wider community by improving access to Burgess Park for the Emergency Services, the local community and visitors to the area.

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

29. The proposals are not considered to have any adverse effect on socio-economic or health equalities. The modal filter retains motor vehicle access to all properties, but encourages people to rethink using motor vehicles for unnecessary trips. The filter enhances the on-street experience for the majority, which is those that don't own a car, while still maintaining access for those who need to use a car.

### **Health impact statement**

30. The proposals support the council's mission to deliver infrastructure to support active travel, enabling people to get and stay active and promote less polluting vehicles, manage traffic to reduce demand on our streets and reduce exposure to air pollution by reducing the amount of motor vehicles using the North Peckham area.
31. The proposed measures are likely to encourage more residents to walk and/or cycle or to use public transport. The proposed measures are likely to discourage travelling by car within the area.
32. Active travel is an effective way to integrate physical activity into daily routines, and just 20 minutes of physical activity per day can reduce the risk of several health conditions<sup>1</sup>.
33. The proposals aim to reduce motor vehicle usage in the area, while maintaining access for those who need it. Creating safe and welcoming street environments has the potential to have a positive impact on social and mental wellbeing, by creating connected and cohesive communities, which will encourage residents to spend more time outdoors and increase their social interaction.

### **Climate change implications**

34. 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

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<sup>1</sup> Southwark Council. 2017. Active Travel JSNA.

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. These measures strongly support that ambition by creating an area where walking, cycling and wheeling are prioritised over motor vehicle usage.

35. 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 bus 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**

36. All resource requirements will be contained within the existing highways structure.

### **Legal implications**

37. The Traffic Management Order(s) (TMO(s)) would be made under powers contained within the Road Traffic Regulation Act 1984 (RTRA).
38. Should the recommendations be approved the council will give notice of its intention to make a traffic order and proceed with statutory consultation as per the requirements set out in regulation 23 of the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 (the Regulations).
39. Any objections the council receives must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers. A further report will be brought to the Cabinet Member should objections be received.
40. The council shall, within 14 days of making the TMO(s), 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 Regulations
41. A TMO only comes into force once the council has published the notice which confirms the order has been made.
42. After a TMO is made the Council must ensure proper signage is implemented in the vicinity in accordance with regulation 18 of the Regulations.

### **Financial implications**

43. The cost of implementing a permanent traffic management order is estimated at £3,000 from the Cycle Infrastructure Fund and any proposed camera would be

redeployed from an existing location where compliance is high.

44. A further report will be brought to the Cabinet Member with any proposed changes for the area.

### **Consultation**

45. Informal consultation has been carried out as detailed in paragraphs 9 to 11 of this report.
46. Further details can be found in the consultation and engagement report found in Appendix A.

### **Timescales**

47. The TMO for this scheme expires on 14 September 2023, the made TMO for this scheme will be published in June 2023 and the permanent TMO will be made permanent in August 2023

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Assistant Chief Executive – Governance and Assurance**

48. The Cabinet Member for Neighbourhoods, Leisure and Parks is asked to approve the recommendation to implement a permanent modal filter on St Georges Way, including the replacement of physical barriers with an ANPR camera. This will require the making of a traffic management order which involves a statutory consultation process in accordance with the procedure prescribed by the RTRA and the Regulations.
49. Should the Cabinet Member be satisfied with the contents of this report then they have the authority to make the decision recommended at paragraphs 2-4 pursuant to paragraph 22, Part 3D of the council's Constitution.
50. 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 these proposals is not anticipated to engage or breach the provisions of the Human Rights Act 1998.
51. 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 24 to 27 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 and report if detrimental impacts to a protected group come to light at a later date.

52. Council Assembly on 14 July 2021 approved a change to the 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 between paragraphs 28 and 34 above.

**Strategic Director of Finance and Governance (ENG23/013)**

53. This report requests approval from the Cabinet Member for Neighbourhoods, Leisure and Parks to implement the recommendations in paragraphs 1-4 of this report.
54. The strategic director of finance and governance notes that the estimated costs associated with these proposals is £3,000 and there is sufficient funding from existing Highways budgets to fund these proposals.
55. Staffing and other costs connected with these recommendations are 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	Jo Redshaw <a href="mailto:Jo.redshaw@southwark.gov">Jo.redshaw@southwark.gov</a>
<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 Highways 160 Tooley Street London SE1 2QH	Chris Page 020 7525 7259
<a href="https://www.southwark.gov.uk/environment/climate-emergency?chapter=3">https://www.southwark.gov.uk/environment/climate-emergency?chapter=3</a>		



## APPENDICES

No.	Title
Appendix A	Consultation and Monitoring Report
Appendix B	Comments made during statutory period

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Highways	
<b>Report Author</b>	Jo Redshaw, Principal Project Manager	
<b>Version</b>	Final	
<b>Dated</b>	23 May 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director of Finance	Yes	Yes
Policy and Research Officer (Climate Emergency)	Yes	Yes
<b>Cabinet Member</b>	Yes	No
Date final report sent to Constitutional Team	23 May 2023	