

Item No.	Classification: Open	Date: 23 January 2024	Decision Taker: Cabinet Member for Climate Emergency, Clean Air & Streets
Report title:		Walworth Streets for People - Amelia Street, Alberta Street and Chapter Road Pocket Parks	
Ward(s) or groups affected:		Newington	
From:		Head of Highways	

RECOMMENDATIONS

That the Cabinet Member for Climate Emergency, Clean Air & Streets (“Cabinet Member”):

1. Approves the implementation of the Newington Pocket Park proposals affecting, Alberta Street, Braganza Street, De Laune Street, Amelia Street, Penton Place, Berryfield Road, Lorrimore Square, Ambergate Street and Chapter Road (“Newington Pocket Parks”) as shown in Appendix 1 by way of Traffic Management Orders (“TMOs”) made pursuant to powers under the Road Traffic Regulation Act 1984 (“1984 Act”).
2. Instruct officers to make the necessary TMOs in accordance with sections 6, 29 and 124 of the 1984 Act, subject to statutory consultation carried out pursuant to the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 (“1996 Regulations”).
3. To authorise officers to exercise discretion as to whether or not to hold a public inquiry in the event objections are received related to any of the proposed TMOs following statutory consultation pursuant to regulation 9(1) of the 1996 Regulations.
4. Notes the Equality Impact and Needs Analysis (“EINA”) encapsulating the proposed new measures and restrictions prepared for the Newington Pocket Parks and for the purposes of this report (see Appendix 3).
5. Notes that in the event objections are received following statutory consultation a further report will be presented to the Cabinet Member in order for him determine whether to proceed with the making of the TMOs.
6. Notes that the extent of the existing “no motor vehicles” restriction on Chapter Road will be reduced as part of the TMOs referred to at paragraph 2 to accommodate ease of access to a local underground garage.

BACKGROUND INFORMATION

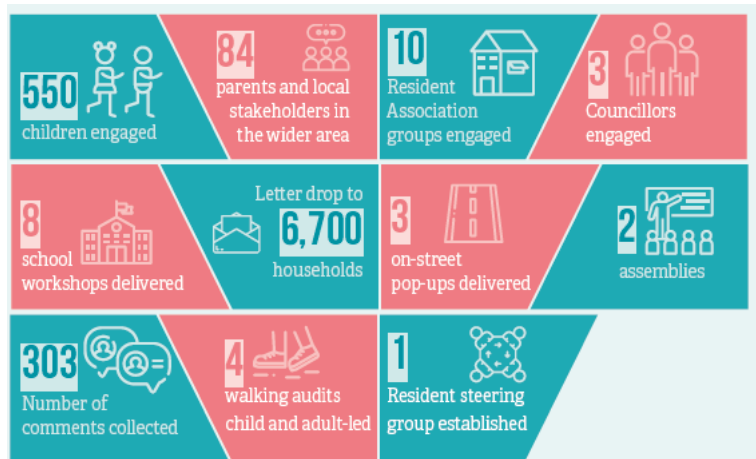
Decision-Making

7. Under paragraph 22 of Part 3D of the council's Constitution, the Cabinet Member is responsible for decisions to implement a traffic and highway improvement project, subject to statutory consultation.

Introduction to the proposals

8. As part of their childhood obesity programme, [Impact on Urban Health](#) partnered with the council and Sustrans to explore how the built environment in the Newington area can be designed to encourage more children's physical activity and play.
9. The Urban Health Index for Lambeth and Southwark showed very high levels of obesity amongst children in reception and for children in Year 6 in the Newington, Burgess Park West and John Ruskin Street MSOA areas (Multi Super Output Area).¹
10. This data set underpins why Impact on Urban Health selected the Newington ward as an area to strategically invest in developing proposals to change the way we use our streets to encourage more physical activity and play amongst children. The area will benefit from measures to encourage active travel and play among pupils.
11. The council have been working closely with Sustrans and the local community since 2019 to explore how the streets of Newington could be improved to enable children to walk, cycle and play outside more. This was referred to as the Child-Friendly Newington scheme (see Appendix 4 for the Co-Design and Test report prepared by the council and Sustrans).
12. Sustrans developed a series of concept designs based on a number of collaborative engagement stages with the community. The concept designs include strategies to address traffic dominance, safer crossing points, access to greenspace, playable landscapes, and wayfinding.
13. The collaborative engagement stages included a discover phase and a co-design phase. The discover phase consisted of the following activities:

¹ <https://urbanhealth.org.uk/insights/data/urban-health-index-uhi-for-lambeth-and-southwark>



14. The co-design phase (limited by the Covid-19 pandemic) consisted of the following activities:
 - Three meetings with teachers at Crampton Primary School, Keyworth Primary School and John Ruskin Primary School.
 - Three half-term on-site exercise with students at Crampton Primary School, Keyworth Primary School and John Ruskin Primary School.
 - One online Workshop with Alberta, Newington and Draper TRAs.

15. The key themes identified during these phases and incorporated into the concept design proposals are as follows:
 - Access to green spaces from schools can be difficult due to dangerous crossing points such as:
 - Amelia Street/Penton Place Junction to Pullens Gardens
 - Braganza Street and Manor Place to Pasley Park
 - Harmsworth Street to Doddington Gardens
 - Alberta Street/ Penton Place to Newington Estate green space
 - Activation of green spaces for children and young adults needed particularly at Pasley Park, Doddington Gardens, Newington Estate, Berryfield Road and Ambergate Street
 - Parking and cars can be dangerous outside schools at drop off and pick up times
 - Through-traffic and high speeds identified on Amelia Street, Penton Place, Manor Place, Cooks Road and Iliffe Street
 - More play equipment and activity areas required for children and young adults
 - Walking and cycling routes to be developed and enhanced along Alberta Street/Newington Estate from Kennington Tube Station to Elephant and Castle Tube Station, and Berryfield Road (already partly pedestrianised).

16. In summer 2020, during the Covid-19 pandemic and following the emergence of TfL's [London Streetspace programme](#) the council introduced an experimental and temporary low-traffic neighbourhood (see map below), also known as the Walworth Streetspace, to reduce through-traffic movements and prioritise walking and cycling. This was the largest

low-traffic neighbourhood introduced in Southwark, both in scale and number of residents affected.



17. Whilst the Walworth Streetspace measures were being reviewed to determine whether the measures would become permanent, the majority of the design work for Newington Pocket Parks was put on hold. This was because the outcome of the Walworth Streetspace scheme was integral to how the streets could be permanently re-designed to encourage physical activity and play amongst children, and tackling some of the key issues identified in the earlier Newington Pocket Parks engagement phases.
18. Nevertheless, the council and Sustrans utilised this opportunity to temporarily 'activate' some of the modal filters within the Walworth Streetspace scheme, so the local community could envisage how the space could be used in the long-term. Photos of these temporary activation measures can be seen below.



19. The Walworth Streetspace measures underwent a review in July 2021. The review consisted of an area-wide informal public consultation, an in-depth monitoring report of traffic and cycle volumes, and bus journey times, air quality modelling, and an equalities impact and needs assessment. The outcome of the review was to retain the measures as permanent, and this was finalised in Spring 2022.
20. Following the formal approval to make the Walworth Streetspace scheme permanent, officers re-commenced work on the Newington Pocket Parks scheme. A feasibility review was undertaken on the concept design proposals drafted by Sustrans. The feasibility review considered the following:
 - Safety
 - Permissions
 - Buildability
21. As a result of the feasibility review and consideration of budget and scope, the following four locations were chosen to proceed to outline design because they met the aims of the scheme, to encourage sensory play as pupils actively travel to / from school:
 - Alberta Street (junction with Braganza Street)
 - Alberta Street (junction with Ambergate Street)
 - Amelia Street (junction with Penton Place)
 - Chapter Road (junction with Lorrimore Square)



Location plan for Newington Pocket Park proposals

22. Visualisations of the Newington Pocket Park proposals can be seen below, and the outline design drawings found in Appendix 1.

Alberta Street and Braganza Street



Alberta Street and Ambergate Street



Amelia Street and Penton Place



Chapter Road



Public Consultation

23. See Appendix 2 for a full report on the public consultation.
24. To ascertain public support, the proposals were presented for public consultation. The consultation ran from 1 February to 5 March 2023, and consisted of the following activities:
 - An online survey, hosted on Southwark's consultation hub at www.southwark.gov.uk/newington-pocket-parks-survey (paper versions of the survey were available for pick up at Walworth Gardens and Walworth Library)
 - An A4 flyer (see Appendix 2) distributed to 3228 households promoting the consultation.
 - A bespoke parent & pupil survey distributed to the three schools in the area Crampton Primary School, Keyworth Primary School and St Paul's Primary School.
 - Three door-knocking activities on Amelia Street, Chapter Road and Alberta Street to further promote the consultation.
 - Three school pop-up events at Crampton Primary School, Keyworth

- Primary School and St Paul's Primary School.
- Email to Walworth Society and TRAs.
- Attended meetings with Walworth Society, Iliffe Yard and TRA groups.

25. The combination of the main survey and pupil survey responses ensured that the council was able to yield a representative response rate reflective of local demographics and also ensure we were hearing from a key audience group, being persons under the age of 16. A summary of the questions and responses in the survey are set out below.

Question 1) Do you agree the scheme achieves the following objectives?

	Alberta & Braganza Street			Alberta & Ambergate Street			Amelia St & Penton Pl			Chapter Road		
	Agree	Not sure	Disagree	Agree	Not sure	Disagree	Agree	Not sure	Disagree	Agree	Not sure	Disagree
Encourages physical activity through play	63%	21%	17%	57%	22%	21%	66%	20%	14%	66%	14%	21%
A safer environment for walking, cycling and scooting	80%	7%	13%	71%	10%	19%	81%	2%	16%	78%	5%	16%
Creates a community space that local people can enjoy	70%	16%	15%	64%	18%	19%	78%	7%	15%	71%	10%	19%
Helps to tackle the climate emergency	66%	13%	22%	67%	13%	20%	69%	10%	21%	66%	12%	22%

Question 2) What do you think about the key features of the design?

Scheme features - Comments	Alberta & Braganza Street	Alberta & Ambergate Street	Amelia St & Penton Place	Chapter Road
Play features	Positive feedback regarding stepping stones, panels may not be as well used, animal sculptures may be subject to graffiti. Need to ensure safe buffer between play and cycle lane.	Opportunity for more play features by tree, markings need to be engaging, seating for parents while kids play. May not be right location and nearby parks should be where play is invested.	Support improved access to park, support for stepping stones, possibly consider some of the features in other proposals here too. Play features may not be necessary next to a park.	
Trees, greenery and planting	More planting if possible and planting which encourages pollinators. Must be maintained. Ensure there is enough light for trees to flourish.	Consider fruit trees to align with Alberta Fruit Commons Communal Garden, more tree canopy, consider greenery on wall. Some support loss of parking for this others feel it is unnecessary. Must be maintained.	Support for greenery, must be maintained, could be further expanded, canopy species and less hard landscaping.	More trees and planting should be proposed, especially on side near to estates, should be aligned with planting in Pasley Park. Must be maintained. Concerns at loss of parking.
Cycle Parking and Cycle Lane	Plans support cycling, need to ensure cycle parking provision increased as current cycle parking is well used now, stop motorcycles/mopeds from using the area. Cyclists may become squeezed on Braganza Street where it proposed to be more narrow.	N/A	Makes cycling safer, ensure it is on desire line, bollards/markings could make it more colourful. Must be wide enough for adapted bikes.	Improves safety, and well needed. Concerns over vehicles access for local properties.
Pedestrian crossing and pavement changes	Plans support pedestrians and support for wider pavements. Could be increased further in regards to speed hump proposals and raising surface levels across Alberta Street to give pedestrians priority.	Support for wider pavements, and continuous crossings. Concerns over loss of parking.	Consider zebra crossing, ensure traffic calming measures effective, residential bins make pavements difficult to walk.	Improves pedestrian safety and access into park. Consider vehicle access for local properties. Consider continuous footways where feasible.
Other changes	Bins, seating, bug hotel, loading bay for deliveries to no.97, more lighting, consider extending further along Alberta Street	Seating, bins, vertical planting on wall, incorporate existing tree more, concerns regarding displaced parking, more cycle hangars.	Need to consider waste solution to fly-tipping and bins, access to Iliffe Yard must be incorporated. More bins, trees and planting.	Are changes necessary, improvements to current green/play spaces needed. More trees and planting and less hard landscaping. Ensure local vehicle access considered. More bins, improved lighting.

26. The consultation results show general support for the Newington Pocket Park proposals in each location, and that local people feel the current designs achieve the key objectives of the scheme.

27. Overall, the pupil/parent survey showed support for all four proposals:

- In regards to play, more support was shown for the proposals at Chapter Road and Amelia Street than the other schemes and this was

- probably due to those respondents proximity to the local park.
- In regards, to walking and cycling, the majority of respondents felt the proposals would improve this across all sites, as well as generally improving the amenity of the area.
- Parent responses to the survey also showed support that the proposals achieved objectives of the scheme, and could encourage modal shift away from cars for the journey to school.
- The pupil survey results were vital in showing that the key audience of the proposals support the designs and would use the Newington Pocket Parks once implemented.

28. During the subsequent detailed design phase, further technical investigation will be carried out on the following

- Planting and maintenance arrangement, including locations of rain-gardens subject to further drainage survey investigation.
- Play features used and arrangement
- Additional features such as bins and seating.

29. The final design proposals shown in the drawings at Appendix 1 were produced in light of the feedback received during the consultation.

KEY ISSUES FOR CONSIDERATION

Proposed measures

30. Below is a summary of measures to be introduced under TMOs to implement the Newington Pocket Parks proposal:

Road	Measure
Alberta Street,	Double yellow lines and play area
Braganza Street	Double yellow lines and loading bay
De Laune Street	Double yellow lines
Amelia Street	Double yellow lines and play area
Penton Place	Double yellow lines
Berryfield Road	Double yellow lines
Lorrimore Square	Double yellow lines
Chapter Road	Double yellow lines, play area and "no motor vehicle prohibition
Ambergate Street	Double yellow lines

Issues raised by residents and businesses

31. For the proposals on Amelia Street, concerns were raised from Iliffe Yard regarding refuse vehicle access into the yard. The Iliffe Yard Business Association requested that the extent of the current scheme on Amelia Street (introduced as part of the Walworth Streetspace measures) be

reduced. Refuse vehicles must be able to carry out a turning manoeuvre at the Iliffe Yard entrance which is near the pocket park location. The Amelia Street proposal will retain the footprint of the current scheme which has been in place for over a year. Daily operations and access for refuse collection to Iliffe Yard has not been adversely affected since the current layout has been in place, so officers consider that the new proposals should not impact on refuse vehicle access. Officers also consider that any reduction of the scheme is not feasible due to safety concerns, and would undermine the wider scheme objectives of repurposing the streetspace for sensory play, social and community interaction

32. Officers will continue to engage with the Iliffe Yard Business Association regarding the proposals around Amelia Street to ensure that the proposed scheme complements the successful operation of their business.
33. Officers are also working closely with the council's housing department on developing an improved waste solution on Amelia Street, which will complement the pocket park proposal at this location and ensure wider pedestrian and environmental improvements.
34. Concerns have been raised by a resident on Chapter Road regarding reduced parking access outside their property. The resident has mobility issues and therefore at times has a vehicle parked outside property for easier access. The effect of the proposed scheme at Chapter Road would prevent the vehicle being able to park in this location. This concern has been given due regard as part of the EINA. Amendments have been made to the proposals to accommodate this access, by reducing the footprint of the original proposal.
35. Access issues into an underground garage on Chapter Road was also raised by some residents, due to the location of existing 'no motor vehicle' prohibition sign. It is proposed that that extent of the existing "no motor vehicles" restriction on Chapter Road be reduced to facilitate ease of access to the car park
36. A second Road Safety Audit will be undertaken on the design proposal to assess the safety implications of the Newington Pocket Parks.

Feedback from ward councillors

37. Officers have had meetings with local ward councillors to discuss the consultation feedback and proposals. The main concerns raised were related to the Chapter Road proposal and these have been addressed as below:

Comments from Councillor	Officers response
Access concerns for a resident on Chapter Road	Design amended to allow access
Access for emergency and waste collection vehicles to Pasley Park	Access for emergency services will not be impeded by the design

Non-compliant vehicles may bypass 'No motor' vehicle restriction	Concern about non-compliance designed out with bollards in the cycle path. Motor cycles non-compliance will be addressed by adhoc mobile enforcement
Concern about the placement of play space/equipment close to the road and speed of passing cycles	Cycle speeds reduced with traffic calming features and segregated from play area
Update the community on progress made	Website to be updated

- Officers will continue to engage with ward councillors in the detailed design and construction phases of the project.

38. In line with Part 3H of the council's Constitution, the proposals in this report have been circulated to the councillors who form the multi-ward forum to allow them to make comments on the proposals before they go for decision making. No comments were received.

Policy framework implications

39. The Newington Pocket Parks are consistent with the pledges and objectives set out in the Streets for People ("SfP") strategy (approved by Cabinet in July 2023), which outlines the council's ongoing commitment to, and ambition for, healthier neighbourhoods, cleaner air, thriving town centres and safer roads

The relevant SfP objectives are:

- **Objective 2 – Create good quality space that is accessible for all people.** - Junctions have been resigned to ensure a level route and to reinforce pedestrian priority. The proposals ensures crossings are along pedestrian desire paths. The proposals deliver on our Equal Pavements Pledge by making the streets more accessible for everyone.
- **Objective 3 – Reclaim, reallocate and repurpose public land for community use-** The proposals repurpose the streetspace for improvements and this meets local needs for walking, cycling and play. The new highway materials, greenery and layout will also make the area cleaner, greener and safer from car traffic
- **Objective 4 – Improve safety and security for everyone using our streets**
The modal filters creates a safer street for vulnerable road users and reduce through traffic, which decrease any potential for collision.
- **Objective 5. Make walking, cycling and wheeling easier –** The proposals aim to reduce the space given to cars and provide the facilities and infrastructure needed to support people of all abilities and backgrounds who want to walk, cycle or travel actively in some

other way.

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

Community impact statement

40. 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.
41. The proposals align with the objectives in the Streets for People strategy. The Newington Pocket Parks seek to create new community spaces allowing people to sit and socialise which helps towards mental wellbeing and community cohesion.
42. The Newington Pocket Parks also include play spaces for children to improve their physical activity and mental wellbeing. Additionally, the proposals aim to make it safer for walking and cycling by reducing vehicular traffic across the neighbourhood and preventing parking and waiting on the roads which has wider benefits for the whole community, including improvement of pedestrian accessibility to local amenities such as high-streets or schools and local parks. Therefore the Newington Pocket Parks considered to have a positive community impact.

Equalities (including socio-economic) impact statement

43. The Public Sector Equality Duty (“PSED”) is set out in section 149 of the Equality Act 2010 (“2010 Act”) which requires the council, in the exercise of its functions, to have due regard to the need to:
 - eliminate discrimination, harassment and victimisation;
 - advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and those who do not share it.
44. An EINA has been undertaken in light of the council’s PSED to assess the impact of the Newington Pocket Parks on groups with protected characteristics and to assess whether any mitigating actions could be taken to promote equality and tackle inequalities during the detailed design and implementation phases (see Appendix 3). The identified protected characteristics affected by the proposals include age, disability, race, maternity, and gender.
45. Mitigating actions were carried out by officers in the finalising the design to address the negative impacts identified in the EINA as summarised below.

Issue	Protected group	Mitigation
Removal of parking spaces may impact on those most reliant on their cars	Elderly people Persons with disabilities	Adequate estate parking in Newington. Streets are only 54% occupied when the CPZ is operating
Vehicle access to No 26 Chapter Road	Elderly people	Footprint of design reduced to allow vehicle access

46. The EINA concluded that the Newington Pocket Park proposals have mainly a positive impact on protected characteristic groups, particularly younger people. This and in light of the mitigation actions undertaken, the proposals are not considered to have a disproportionate effect on any particular protected characteristic group.

47. The recommendations support the council's equalities and human rights policies and promote social inclusion by:

- Improving road safety, in particular for vulnerable road users including pedestrians and cyclists, on the public highway.
- Improving existing shared use facilities by improving road surface, road markings, and signage.
- Improving existing pedestrian and cycle facilities by improving surfaces, road markings, and signage.
- Improving access for pedestrians and cyclists to local facilities.
- Providing street furniture which accommodates the needs of certain demographic groups, such as disabled, elderly and other mobility impairment.

48. The Newington Pocket Parks will have a significant positive effect on socio-economic equalities. The proposals will create quality safer community spaces for active play, greenery, better air quality and promote community cohesion.

Health impact statement

49. The proposals support the council's mission to have zero people killed or injured on our streets by 2041 by introducing traffic reduction measures.

50. The proposed scheme fully supports and aligns with the council's Healthy Weight Strategy 2016–2021. The Newington area has high-levels of childhood obesity. A key objective of the scheme is to re-design the streets to introduce play-on-the-way to encourage physical activity and help to tackle childhood obesity and improve mental wellbeing.

Climate change implications

51. The Newington Pocket Parks 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 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.

52. The current Walworth Streetspace measures have created a positive modal shift away from private car ownership and towards active travel. The Newington Pocket Parks aim to strengthen these traffic reduction measures further by prohibiting waiting and parking of motor vehicles and prioritising the use of the streets by pedestrians and cyclists giving effect to the above Climate Change Strategy objective.
53. The designs have also considered where our streets could be more climate resilient by introducing rain gardens and improving bio-diversity.
54. A Carbon Calculator Assessment will be carried out in the next detailed design phase of design to ensure that designs and construction plans have fully considered and made appropriate action to reduce carbon emissions during construction stage.
55. The council’s Climate Change Strategy and Action Plan, Appendix B, sets out detailed carbon analytics on borough’s pathway to net zero by 2030. This modelling includes an overall reduction in vehicle km by a minimum of 9% by 2030, alongside a complete shift away from petrol and diesel vehicles.
56. 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

57. There are no additional staffing implications as provision will be made from the Highways department to deliver the recommendation included in this report.

Legal implications

Legislative Powers

58. In summary, if the recommendations are approved by the Cabinet Member, the TMOs will be made under sections 6 and 124 of the 1984 Act for the purposes set out in the following provisions:
 - section 1(1)(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians),
 - section 1(1)(f) for preserving or improving the amenities of the area

- through which the road runs;
- section 29 (power to prohibit traffic on roads to be used as playgrounds);
- paragraph 14 of schedule 1 (vehicles, or vehicles of any class, when unattended; and
- paragraph 15, of schedule 1 (restricting waiting/parking on streets) of the 1984 Act.

59. Section 6 of the 1984 Act enables the council to make TMOs to control or regulate vehicular and other traffic (including pedestrians) for:

- any of the purposes or with respect to any of the matters, mentioned in Schedule 1 of the 1984 Act; or
- any other purpose which is a purpose mentioned in any of paragraphs (a) to (g) of section 1(1) of the 1984 Act. These purposes are:
 - (a) avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising,
 - (b) for preventing damage to the road or to any building on or near the road,
 - (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians),
 - (d) preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property,
 - (e) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot,
 - (f) preserving or improving the amenities of the area through which the road runs;
 - (g) any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

60. Section 124 and Part IV of Schedule 9 of the 1984 Act provides that certain provisions apply for the making of orders under section 6, such as consulting with the chief officer of police.

61. The relevant purposes set out in paragraph 59 above for which the TMOs will be made are (c) and (f). By prohibiting motor vehicles from waiting and parking, the TMOs will facilitate the passage on the road for pedestrians and cyclists by giving these road users more room and will improve the general amenity of the area by reducing the presence of motor vehicles and the noise and pollution they cause. The play areas will provide a space, not only for children to enjoy but providing a public space for the use of all residents

62. More specifically, the:

- TMOs will introduce double yellow lines to prohibit parking and waiting at any time which is authorised by paragraphs 14 and 15 of Schedule 1 of the 1984 Act.

- The play areas implemented on Branganza Street, Alberta Street, Amelia Street and Chapter Road is authorised by section 29 of the 1984 Act which allows the council to prohibit the use of the roads by vehicles in order for the roads to be used as a playground for children.
63. By virtue of section 122(1) of the 1984 Act, the council has a duty in the exercise of its function as highway and traffic authority so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters listed at section 122(2):
- (a) the desirability of securing and maintaining reasonable access to premises.
 - (b) 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.
 - (c) the national air quality strategy.
 - (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.
 - (e) any other matters appearing to the council to be relevant.
64. The council in satisfying this duty must have proper regard to its s122(1) duty and balancing this duty with the matters set out at s122(2) when making any decision to implement TMOs.
65. In light of the issues discussed in this report and having regard to the matters listed in section 122(2), officers consider that the Newington Pocket Park proposals will enable the Council to meet its duty under section 122 of the RTRA 1984. The matters which have pointed in favour of implementing the Newington Pocket Park proposals are the encouragement of active travel, reducing pollution and improving air quality and improving the amenity of the area. These also give effect to the objectives in the SfP Strategy. Vehicular traffic is still able to access local destinations such as Pasley Park, but the proposals will remove conflicts between vehicular traffic, cyclists and pedestrians by imposing double yellow lines (no waiting and stopping) making the roads safer for active travel users. Officers consider that there are adequate parking facilities with reference to the number of households which own cars in this area.
66. Section 16(1) of the Traffic Management Act 2004 sets out the traffic management duty. The Council as traffic authority has a duty to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:
- (a) securing the expeditious movement of traffic on the authority's road network; and

- (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

67. Officers consider that by implementing the Newington Pocket Park proposals, the Council's network management duty is satisfied for the reasons discussed at paragraph 65.

Statutory Consultation and Objections

68. Should the Cabinet Member approve the recommendations set out at paragraph 1 and 2 of the report, the council will need to make TMOs under sections 6, 29 and 124 of the 1984 Act and in accordance with the procedure set out in the 1996 Regulations.

69. The council must first consult statutory consultees (such as the police). The council will publish a notice of the proposed TMO in a local newspaper (Southwark News); and the London Gazette, and make all relevant documents available for public inspection at its Tooley Street offices during normal office hours. The council may publish the notice in other places it considers appropriate to ensure adequate publicity such as posting notices on the road in question; or by writing to those premises which may be affected by the TMO.

70. Any person who wishes to object to the making of the TMO must do so in writing within 21 days of the notice, or, if later, within 21 days of the council's compliance with the publicity and deposit rules, in accordance with regulation 8 of the 1996 Regulations.

71. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and the relevant statutory powers and section 122 of the RTRA 1984. The Council must consider all objections before making the TMO and where it does not "wholly accede" to an objection, they must provide reasons for this in its notification of the making of an order to any person that has objected.

72. None of the proposals requires the council to hold a public inquiry, but the council may decide that one is necessary in light of the objections to the proposed TMO (regulation 9 of the 1996 Regulations). Officers have asked the Cabinet Member to allow them the discretion whether to hold an inquiry or not.

Making of the TMOs

73. Following statutory consultation, any objections will be reported to the Cabinet Member for him to determine whether to proceed with the making of TMOs. Officers may consider that the proposed TMO requires modification before it is made. Again, this will be reported to the Cabinet Member. Any substantial modifications may require a fresh consultation process (regulation 14).

74. In the event there are no objections to the proposed TMOs or if objections are received and the Cabinet Member decides to proceed with the making of the TMO, the council may make the TMOs any time between the end of the period set for receipt of objections and a date two years after publication of first notice (regulation 16).
75. The council will make a copy of the TMO as made available for inspection at its Tooley Street offices and, within 14 days of making the TMOs and publish in the London Gazette and a local newspaper (Southwark News), a notice of making of the TMO. The council must also individually notify all those persons who made an objection to the TMO and did not withdraw.
76. The TMO will only come into force once the council has published the notice of making, referred to in paragraph 75 above confirming the order has been made.
77. Before the TMO comes into force the council must ensure proper and necessary signage is implemented on or near the affected road to secure that adequate information as to the effect of the TMO is available to persons using the road in accordance with regulation 18 of the 1996 Regulations.

Financial implications

78. The estimated cost for the delivery of the recommendation contained in this proposal is circa £1million and this will be funded by :

	2023/22	2023.24	TOTAL
Parking Revenue L-8000-2022.01	£585,000	250,000	£835,000
Urban Health (Grant funding)		£137,072	£137,000
L-8000-2022.01.08	£97,500		£97,500
TOTAL	£682,500	£387,072	£1,069,500

Public Consultation

79. See paragraphs 23 to 29 for details of public consultation carried out, and further details in Appendix 2. Prior to this, a number of engagement exercises were carried out from 2019 to 2021, which have been detailed in the Background Information section of this report.
80. Ward Councillors have been briefed regarding proposals before public consultation commenced, and officers will carry out a follow-up briefing following the outcome of this decision-making report.

Timescales

81. If the recommendation is approved by the Cabinet Member they will be progressed in line with the approximate timeline below :

- Statutory consultation – February 2024
- Reporting back to Cabinet Member with determination of objections (if necessary) – April 2024
- Implementation – from May 2024 (Non – statutory elements of the proposal can proceed to construction)

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance (AGG 11/23)

82. The Cabinet Member is asked to approve the recommendations set out at paragraph 1 and 2 of this report to implement the Newington Pocket Parks proposal by way of permanent TMOs. These recommendations fall within the powers of the individual Cabinet Member for determination in accordance with paragraph 22, Part 3D of the council's constitution.
83. The background to the Newington Pocket Parks and the reasons for the making of the TMOs are detailed in the body of the report. Implementation of the proposals will require TMOs made in accordance with the powers prescribed by the 1984 Act and the process under the 1996 Regulations as set out in the Legal Implications section above. In the event there are objections to any of the proposals following statutory consultation, a further report will be presented to the Cabinet Member to determine whether to proceed with the making of the relevant TMO.
84. The Council's duty under section 122 of the 1984 Act to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway has been considered at paragraphs 63 to 65. Officers have carried out the exercise of balancing this duty with the various matters listed under section 122(2) and have recommended that the Newington Pocket Parks should be implemented by way of TMO.
85. An EINA was carried out to determine the equalities impacts of the Newington Pocket Parks and to consider whether any actions could be taken to mitigate the impacts on persons with protected characteristics. Officers have considered the council's PSED under section 149 of the 2010 Act at paragraphs 43 to 48 of this report.
86. 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 relevant rights for highway and traffic purposes are Article 8 (respect for homes); 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.
87. 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 at paragraphs 51 to 56 above.

Strategic Director of Finance (ENG23/091)

- 88. This report requests approval from the Cabinet Member for Climate Emergency, Clean Air & Streets approves the implementation of the Streets for People proposals pertaining to Newington Pocket Parks as detailed in paragraphs 1 to 6 above.
- 89. The strategic director of finance and notes that the estimated costs for these proposals is £1.07M and there is sufficient funding available from the Parking Revenues and the external sources identified in paragraph 78 of this report to fund these proposals.
- 90. Staffing and other costs connected with this recommendation are to be contained with existing departmental budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Streets for People background paper	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Dale Foden
https://www.southwark.gov.uk/transport-and-roads/streets-for-people?chapter=2		
Southwark’s Climate Strategy 2021	Southwark Council Environment and Leisure Highways 160 Tooley Street London SE1 2QH	Chris Page
https://www.southwark.gov.uk/environment/climate-emergency?chapter=3		

APPENDICES

No.	Title
Appendix 1	Newington Pocket Park proposals – drawings
Appendix 2	Consultation Report
Appendix 3	Equality Impact and Needs Analysis
Appendix 4	Child-Friendly Newington Scoping Report

AUDIT TRAIL

Lead Officer	Dale Foden – Head of Highways	
Report Author	Clement Agyei-Frempong – Principal Project Manager	
Version	Final	
Dated	22/01/ 2024	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive (Governance & Assurance)	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Climate Change Director	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		23 January 2024