

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 25 January 2024	<b>Decision Taker:</b> Cabinet Member for Climate Emergency, Clean Air & Streets
<b>Report title:</b>		Brunswick Park and North Peckham streetspace schemes – highway improvement measures	
<b>Ward(s) or groups affected:</b>		Camberwell Green, St Giles, Peckham	
<b>From:</b>		Head of Highways	

## RECOMMENDATIONS

That the Cabinet Member for Climate Emergency, Clean Air & Streets

1. Approves the enhancements to the Brunswick Park and North Peckham streetspace schemes as shown in Appendix 3 (“Streetspace Improvements”) implemented by way of powers under the Highways Act 1980 (“1980 Act”) and including traffic calming measures which are subject to statutory requirements.
2. Considers the outcome of the consultations for Brunswick Park and North Peckham and the recommendations made by officers regarding the future of the above schemes based on the consultation reports in Appendix 1 and 2.
3. Instructs officers to:
  - i) Proceed to the detailed design stages and carry out any statutory requirements to implement the Streetspace Improvements and the scheme traffic calming interventions as shown in Appendix 3; and
  - ii) Not proceed to detailed design stage with all of the traffic calming measures proposed on Naylor Road; instead just implement the junction safety improvements at either end.
4. Authorise officers to carry out the necessary statutory procedure in accordance with sections 90A to 90F of the 1980 Act and the Highways (Road Humps) Regulations 1999 (“1999 Regulations”).
5. Delegates to officers the consideration of objections and exercise discretion as to whether or not to hold a public inquiry in the event objections are received in respect of the proposed traffic calming measures (“road humps”) in accordance with section 90C(4) of the 1980 Act.

6. Notes the Equality Impact and Needs Analysis (“EINA”) prepared for the purposes of this report, in response to the consultation and appraisal of the Streetspace Improvements.
7. Notes the original proposed improvements on Goldsmith Road (which formed part of the informal consultation) are not included in the Streetspace Improvements and will be delivered by a separate scheme, Cycle Future Route 12.

## **BACKGROUND INFORMATION**

8. In 2020 Guy’s and St Thomas’ Charitable trust (GSTTC) committed funding to deliver a long-term multi-million pound programme tackling the main health challenges facing Lambeth & Southwark. Within this programme there is a focus on improving air quality, reducing child obesity and reducing the burden of long-term conditions such as heart disease and type-2 diabetes. In particular, GSTTC have asked to focus on areas with high levels of deprivation and poor air quality.
9. The Brunswick Park and North Peckham streetspace schemes consisted of traffic filters on specific streets to regulate vehicular traffic with the objective of providing safer conditions for walking and cycling to enable residents to exercise locally to their home and travel sustainably in their neighbourhood. The areas were chosen by their health inequalities and high childhood obesity; the streets to be filtered were chosen by the speed and volume of rat-running traffic. These public health measures were implemented initially as a trial by way of Experimental Traffic Management Orders (“ETMOs”) made under the Road Traffic Regulation Act 1984 (“RTRA”) in response to the Covid-19 pandemic. With longer-term health and travel changes in mind, a consultation was held between 31 July 2021 and 22 September 2021 on whether to make the experimental TMOs permanent.
10. The majority of respondents were in support of retaining the streetspace or to retain the measures, but increase the streetspace area with other features, with 62% support in Brunswick Park and 49% support in North Peckham (for the latter, compared to 37% who would prefer to remove the traffic filters). Subsequently the experimental TMOs were made permanent by way of further TMOs on 31 March 2022.
11. As a result of the above public support, officers considered how the streetspace could be further enhanced. Ideas included that standalone wooden planters be replaced with kerbed buildouts and additional streetspace features such as low bedded planting areas, trees, cycle stands, seating, raised crossing areas and dropped kerbs.
12. The Streetspace Improvements proposed in this report do not require TMOs made under the RTRA because no new traffic restrictions are proposed, and can be introduced under powers set out in the 1980 Act (see

the Legal Implications Section). Where raised crossings or traffic calming is proposed, this is subject to statutory notices and requirements under the 1999 Regulations and sections 90A to 90E of the 1980 Act.

## KEY ISSUES FOR CONSIDERATION

### Decision-making

13. 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.

### Proposed Measures

14. Detailed diagrams of the proposed designs are shown at Appendix 3. In summary, the following improvements are to be introduced at the following locations:

Location	Improvement
Benhill Road / Elmington Road junction	Varying widths of footway/carriageway, carriageway and footway resurfacing, new buildout kerbing, dropped kerbing, low bedded planted areas, introduction of a traffic calming measure (raised table), drainage works
Elmington Road	Low bedded planted areas, varying widths of footway/carriageway, new kerbing, dropped kerbing, drainage works
Havil Street	Varying widths of footway/carriageway, resurfacing of footway, new kerbing, dropped kerbing, drainage works
Havil Street/Dalwood Street junction	Varying widths of footway/carriageway, carriageway and footway resurfacing, new kerbing, dropped kerbing, introduction of a traffic calming measure (raised table), low bedded planted areas, drainage works
Benhill Road	Removal of existing speed hump, introduction of a traffic calming measure (raised table), kerb buildouts, drainage works
Fenham Road	Varying widths of footway/carriageway, carriage and footway resurfacing, low bedded planted areas, new kerbing, dropped kerbing, drainage
Marmont Road	Varying widths of footway/carriageway, carriageway and footway resurfacing, low bedded planted areas, dropped kerbing, new kerbing, drainage works
Fenham Road/Friary Road junction	Introduction of a traffic calming measure (raised table), kerb buildouts, footway levels readjusted and resurfaced, drainage works
Naylor Road	Introduction of traffic calming features at junction with Commercial Way (raised table crossing), varying widths of footway/carriageway,

Location	Improvement
	carriageway and footway resurfacing, kerb buildouts, tactiles, drainage works

## Consultations

- Further consultation was carried out between 9 October and 12 November 2023 to ask local residents what streetspace features they would like to see at the traffic filters within the existing streetspace schemes. Residents were also consulted whether they agree to new traffic calming measures to compliment the streetspace changes.

### Brunswick Park

- For the Brunswick Park streetspace scheme a total of 160 responses were received in the consultation. There was support for the raised crossings on Benhill Road and Owgan Close (58% agree), and support for further investigation into widening footways on Benhill Road (49% agree, versus 23% against).
- Comments were also received on streetspace designs and features for the permanent buildouts at the road closures, and these will be taken into consideration in developing the detailed design (see the Consultation Report in Appendix 1 for the full results).

### North Peckham

- The consultation for North Peckham received 104 responses. The raised table crossings at Fenham Road junction with Friary Road, and Marmont Road junction with Goldsmith Road received majority support (those in favour 37% and 39% respectively, compared to 36% and 37% against).
- The proposed traffic calming in Naylor Road was close but did not receive majority support, with 38% against versus 34% in favour. Hence officers recommend that the road humps are not replaced with raised tables as proposed. However it is recommended that the safety improvements at either end of the road are implemented to provide better facilities for pedestrians and slow vehicle speeds at the junctions which have a history of collisions.
- Comments and suggestions for the proposed designs of the Streetspace Improvements will be considered in the detailed design development (see Appendix 2 for the full consultation report).

### Feedback from Ward Councillors

- In line with Part 3H of the council's Constitution, the proposals in this report have been circulated to ward councillors to allow them to make comments on the proposals before a decision is made by the Cabinet Member. No responses were received.

## Policy framework implications

22. The recommendations contained within this report are consistent with the pledges and objectives set out in the Streets for People strategy (“SfP”) (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.
23. The relevant SfP pledges are:
- Your home will be within 200m of a safe and pleasant walking route.
  - Your local school will have a School Street or other new safety measures.
  - Your neighbourhood will have parking spaces for cycles, e-bikes, hire cars, electric vehicles and disabled parking.
  - Your street will have improvements to make it cleaner, greener and safer, chosen by you.

The relevant SfP objectives to the Streetspace Improvements are:

- **Objective 1 – Reduce the need to own or use a car**  
Enhancing the modal filters installed as part of the low traffic neighbourhood scheme make conditions better for walking and cycling.
- **Objective 2 – Create good quality space that is accessible for all people**  
The Streetspace Improvements include wider footways, and dropped kerbs or raised crossings for pedestrian accessibility. Benches for seating where consultation responses have been positive.
- **Objective 3 – Reclaim, reallocate and repurpose public land for community use**  
The streetspace locations aim for placemaking with green space reclaimed from what was a thoroughfare carriageway. Dalwood Street and Benhill Road have space to create pocket parklets.
- **Objective 4 – improve safety and security for everyone using our streets.**  
The proposal will create a safer street for cyclists and pedestrians by reducing conflict with traffic and traffic calming proposals to slow speeds.
- **Objective 5 – Make walking, cycling and wheeling easier**  
Improved cycling and walking environment by implementing the Streetspace Improvements.
- **Objective 6 – Make walking, cycling and wheeling easier for children and young people**  
Upgrading the walking environment for vulnerable road users by providing dropped kerbs and raised crossings. The Streetspace Improvements contribute to the reduction of rat-running traffic (already achieved by the initial streetspace measures) to make streets safer for walking, wheeling and cycling.

- **Objective 11 – Reduce emissions from transport and improve air quality**  
Improving the walking and cycling experience will reduce car reliance and improve air quality.
- **Objective 12 – Make streets greener and more resilient to extreme weather**  
The Streetspace Improvements add greenspace and tree planting to the streetscape.

24. The Streetspace Improvements contained in this report are consistent with the actions contained in the council's Climate Action Plan, in particular the goal that infrastructure, building, developments, and policy are designed to facilitate walking and cycling. The relevant action is :

F.1.vi – Improve access to walking in the borough and actively promote this as a zero-carbon method of transport.

25. The Streetspace Improvements support this action by providing a more pleasant and a safer environment for pedestrians and cyclists.

26. The recommendations in this report will support achieving the following objectives of the council's Delivery Plan by putting into practice the Council's policy aims and objectives. The proposals create greener streets with fewer cars, slower traffic and a better environment for walking and cycling by adding crossings for better accessibility and cycle stands where space allows. They will add sustainable drainage and trees wherever possible. The designs have been consulted with local community and, as the EINA shows, have a positive impact, and no negative impact for groups with protected characteristics.

24a - Work with local communities to design safer, greener and healthier streets for walking and cycling, prioritising areas with high health inequalities and low car ownership first.

24c - Deliver on our equal pavements pledge, working with older people, those with disabilities and limited mobility to make sure Southwark's streets are accessible for everyone

25e - Ensure older and younger people, women and our Black, Asian and minority ethnic communities all have a full say, so we design streets and public transport that works for everyone.

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

### **Community impact statement**

27. 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.

28. As set out above, the proposals align with the objectives in the SfP strategy to provide a better environment for walking and cycling.

29. If implemented, the Streetspace Improvements will be monitored and reviewed after implementation and from feedback the scheme will be further refined to better suit the needs of the area if necessary.
30. Additional work will be undertaken with Transport for All on accessibility improvements that can be made as part of the detailed design stage of this scheme.

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

31. 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.
32. An EINA has been completed and is included in Appendix 5 for the Brunswick Park Streetspace and Appendix 6 for the North Peckham Streetspace.
33. The protected characteristics identified in the EINA that would be impacted by the Streetspace Improvements are age, disability, pregnancy and maternity and race. The analysis within the EIANs do not identify any negative impacts on groups with these identified protected characteristics. The positive impacts for groups with protected characteristics, particularly younger people, older people and those with a disability and mobility issues, in terms of road safety and active travel have been identified throughout this report and will promote equality of opportunity for those persons.
34. The proposals are not considered to have any adverse effect on socio-economic or health equalities. The proposals will have no disproportionate impact on any particular age, gender, disability, faith, religion, ethnicity or sexual orientation.

### **Health impact statement**

35. The proposals support the council’s mission to have zero people killed or injured on our streets by 2041. Introducing traffic calming measures and safer facilities for more vulnerable road users such as those walking and cycling and will reduce conflict between cyclists, pedestrians and vehicles.

36. The proposals support the council’s mission to use the kerbside efficiently and promote less polluting vehicles, manage traffic to reduce demand on our streets and reduce exposure to air pollution.

**Climate change implications**

37. The Streetspace Improvements 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 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, of which around 99% come from on-road transport.
38. 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 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**

39. All resourcing implications will be contained within the existing Highways structure.

**Financial implications**

40. The scheme budgets are:

<b>Area</b>	<b>Budget</b>	<b>Funding Source</b>	<b>Cost Code</b>
Brunswick Park	£104,000	Camera revenue	L-8000-2022.01.10
North Peckham / Goldsmith	£108,000	Camera revenue	L-8000-2022.01.09
GSTTC Capital	£108,489	Capital	R-2020-0040.05
<b>TOTAL</b>	<b>£320,489</b>		

**Legal implications**

Statutory Framework

41. Section 62 of the 1980 Act gifts the council with the power to improve its highways. This general power enables the council to carry out any work, including the provision of equipment, for the improvement of the highway. The council may carry out carriageway and footway resurfacing and provide dropped and new kerbing necessary to implement the Streetspace Improvements under this general power.



42. There are specific powers under the 1980 Act which enable the council to carry out the following on the highway which are relevant to the Streetspace Improvements:
  - a. vary the relative widths of the carriageway and of any footway (section 75);
  - b. construct and remove road humps and certain traffic calming works (sections 90A-90F)
  - c. plant trees, lay out grass verges (section 96); and
  - d. drainage works (section 100).

#### Traffic Calming Measures - Road Humps

43. In accordance with section 90A of the 1980 Act, the council may construct road humps on a highway which is subject to a motor vehicle speed limit of 30mph or less, and may remove any road humps it has previously constructed.<sup>1</sup> Traffic calming measures by way of a raised table are proposed at the Benhill Road / Elmington Road junction, Havil Street/Dalwood Street junction, on Behill Road, Naylor Road (at either end only) and the Fenham Road/Friary Road junction. A raised table is a type of road hump with a long flat section.
44. For the purposes of this section the introduction of traffic calming measures by way of raised tables will be referred to as “road humps.”

#### Procedure for implementing traffic calming measures (road humps)

45. Section 90C requires the council, when proposing to construct a road hump under section 90A to consult with the chief officer of police and regulation 3 of the 1999 Regulations requires consultation with the chief officers of the local fire brigade and ambulance services, and any organisations appearing to the council to represent persons who use the highway to which the proposal relates, or to represent persons who are otherwise likely to be affected by the road hump. Officers consider that organisations such as bus operators, waste collection services, and maintenance services will also be consulted.
46. The council shall also, as required sections 90C(2) and (3), publish in one or more local newspapers (e.g. the London Gazette) and place at appropriate points on the highway a notice of the proposal stating the nature, dimensions and location of the proposed road humps and the address to which, and a period of not less than 21 days (beginning with the date on which the notice is first published) within which, any objections to the proposal may be sent.
47. In accordance with section 90C(4) the council will consider any objections sent in response to the notice and consider if such objections cause a local inquiry to be held and where it does not "wholly accede" to an objection, they will provide reasons for this to any person that has objected.

---

<sup>1</sup> “Road humps” are defined within section 90F as “an artificial hump in or on the surface of the highway which is designed to control the speed of vehicles, and references to a road hump include references to any other works (including signs for lighting) required in connection with such a hump.”

48. Section 90CA sets out a special procedure for road humps in London whereby the council must notify the Secretary of State for Transport before starting to construct the road hump. The notice shall include the nature, dimensions and location of the proposed road hump, the type and description of signs in connection with the proposed hump and a period of not less than one month within which, and the address to which, the Secretary of State may send any comments on the proposal to the council. This is so the council may have regard to the comments of the Secretary of State in deciding whether to proceed with the construction of the road hump.
49. The council must ensure the humps are constructed to the standards prescribed in the 1999 Regulations.

### **Timescales**

50. The scheme has a provisional timescale as follows:
  - i. Detailed Design – January 2024,
  - ii. Statutory Notices – February 2024,
  - iii. Construction – March 2024

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

#### **Assistance Chief Executive- Governance and Assurance – AGG 27/12/23**

51. The Cabinet Member is asked to approve the recommendations set out at paragraphs 1, 3, 4 and 5 of this report to implement the Streetspace Improvements pursuant to powers under the Highways Act 1980. 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.
52. As set out in the Legal Implications section above, the Council has the power to implement the Streetspace Improvements pursuant to powers under the Highways Act 1980. Officers will carry out the statutory notification procedure for the introduction of the traffic calming measures (road humps) as set out in sections 90A-90F of the 1980 Act and 1999 Regulations.
53. An EINA was carried out to determine the equalities impacts of the the Streetspace Improvements at both locations (Brunswick Park and North Peckham) and to consider whether the improvements would impact persons with protected characteristics. Officers have considered the council's PSED under section 149 of the 2010 Act at paragraphs 31 to 34 of this report.
54. 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.

55. 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 37 to 38 above.

### **Strategic Director of Finance and Governance (ENG23/132)**

56. The report is requesting the Cabinet Member for Climate Emergency, Clean Air & Streets approve a number of recommendations detailed in paragraphs 1, 3, 4 and 5 of this report pertaining to the proposals to implement traffic calming and permanent streetspace measures in Brunswick Park and North Peckham.
57. The strategic director of finance notes that the estimated costs associated with these recommendations is £320,489 and there is sufficient capital and revenue funding available to support these proposals.
58. Staffing and any other costs connected with these recommendations to be contained within existing departmental budgets.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Streets for People 2023	Southwark Council Environment & Leisure Highways 160 Tooley Street London SE1 2QH	Josh Kerry
<a href="https://www.southwark.gov.uk/transport-and-roads/streets-for-people">https://www.southwark.gov.uk/transport-and-roads/streets-for-people</a>		
Climate Change Strategy	Southwark Council Environment & Leisure Highways 160 Tooley Street London SE1 2QH	Chris Page
<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 1	Brunswick Park Consultation Summary Report
Appendix 2	North Peckham Consultation Summary Report
Appendix 3	GA Drawings of recommended measures
Appendix 4	Brunswick Park Equality Impact Needs Analysis
Appendix 5	North Peckham Equality Impact Needs Analysis

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden – Head of Highways	
<b>Report Author</b>	Josh Kerry - Project Manager	
<b>Version</b>	Final	
<b>Dated</b>	January 2024	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Assistant Chief Executive (Governance and Assurance)	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Climate Change Team	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>	25 January 2024	