

Item No.	Classification: Open	Date: 26 February 2024	Decision Taker: Cabinet Member for Climate Emergency, Clean Air & Streets
Report title:		Minor Traffic Schemes Tranche 2 23-24	
Ward(s) or groups affected:		Various (detailed in Table 1)	
From:		Head of Highways	

RECOMMENDATION(S)

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

1. Approves the non-strategic traffic and highway improvements and complementary streetspace measures detailed in the appendices to this report and summarised in Table 1, implemented by way of powers under the Highways Act 1980 ("1980 Act") and orders made under the Road Traffic Regulation Act ("1984 Act"), subject to the outcome of any necessary statutory consultation and procedures.
2. Instructs officers to make the necessary Traffic Management Orders ("TMOs") in accordance with sections 6 and 124 (and the other relevant powers identified in this report) 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. To authorise officers to carry out the necessary statutory notification in accordance with sections 90A to 90F of the 1980 Act and the Highways (Road Humps) Regulations 1999 ("1999 Regulations").
5. To authorise officers to 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 that in the event objections to the proposed TMOs are received following statutory consultation, a further report will be presented to the Cabinet Member in order for determination whether to proceed with the making of the TMOs.

BACKGROUND INFORMATION

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 and for determining statutory objections to a traffic and highway improvement project (paragraph 23).
8. Under Part 3H of the council's constitution, the relevant Multi-Ward Forum shall be consulted on any non-strategic traffic and highways improvement.
9. This report deals with a number of non-strategic traffic and highway improvement proposals.
10. The origins and reasons for the recommendations are discussed within the key issues section of this report and relevant appendices.

KEY ISSUES FOR CONSIDERATION

11. In line with Part 3H of the council's constitution, all of the individual proposals in this report have been circulated to ward councillors who make up the relevant Multi-Ward Forums to allow them to make comments on the proposals before they are presented to the Cabinet Member for decision. No comments were received.
12. The rationale for each proposal is summarised in Table 1 and discussed in the relevant appendix which contains a detailed design drawing.

Table 1 Summary of traffic and highway improvements presented to the Cabinet Member for approval

Scheme key

MTS – Minor Traffic Scheme

Perm – Permanent

DHB – Devolved Highway Budget

BH – Bike Hangar Budget

DB – Disabled Bay Budget

GSTC – Guy & St Thomas Charity Trust

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
1	Sartor Road	Peckham Rye	Install 1 Sinusoildal hump/ traffic calming measures ("road humps")	DHB	To reduce speeding and to prevent any hazards
2	Manciple Street	Chaucer	Install carriageway markings	MTS	Clarify traffic priorities and encourage safe turning movements.
3	Vanguard Court	St Giles	Install double yellow lines (no waiting/parking)	MTS	To prevent vehicles blocking the access to Vanguard Court
4	Hatfields	Borough & Bankside	Remove permit holder only bay, install cycle toaster rack and single yellow line (restricted parking)	MTS	To allow for more cycle parking in the area
7	Chadwick Road	Rye Lane	Remove one shared use bay and replace with cycle toaster rack	MTS	To allow for more cycle parking in the area
8	Red Post Hill	Dulwich Village	Remove permit holder bays and replace with double yellow lines (no parking/waiting)	MTS	To allow vehicles and buses to pass safely without causing a hazard

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
9	Carlton Grove	Nunhead & Queens Road	Install double yellow lines (no waiting/parking)	MTS	To allow for the bins to be collected and a clear access at all times
11	Melbourne Grove	Goose Green	Remove permit holder only bay to enable installation of a proposed drop kerb and install double yellow lines (no waiting/parking)	MTS	To allow off street parking to be used safely
12	Champion Park	Champion Hill	Remove pay by phone bay and install cycle stands	MTS	To allow for more cycle parking
13	Yalding Road	South Bermondsey	Install traffic calming measures ("road humps")	DHB	To reduce speeding
14	Wren Road	Camberwell Green	Remove existing pay by phone bays and introduce double yellow lines (no waiting/parking), convert permit holder bay to short stay disabled bay, and convert one permit holder bay and one pay by phone bay to short term free bay	MTS	To control parking on Wren Road and allow access for emergency vehicles
15	Wyndham Road	Camberwell Green	Extend existing loading bay times	MTS	To allow for the businesses to load/unload within the time they need
16	Bushey Hill Road	St Giles	Remove permit holder only bay and install double yellow lines(no waiting/parking)	MTS	To provide a dropped kerb to enable wheelchair access to the residential property
17	Empress Street	Faraday	Convert existing permit bay to electric charging bay	MTS	To provide parking and charging for electric vehicles
18	Rotherhithe New Road	Rotherhithe	Remove "School Keep Clear" markings and replace with double yellow lines (no waiting/parking)	MTS	To enable enforcement beyond school hours (8am – 5pm, Mon-Fri)_as

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
19	Crawthow Grove	Goose Green	Relocate existing disabled bay	MTS	To allow for a drop kerb for wheelchair access
20	Cow Lane	Surrey Docks	Introduction of double yellow lines (no waiting/parking) and a shared use parking bay	MTS	To install a cycle hangar
22	Limesford Road	Peckham Rye	Extend existing double yellow lines (no waiting/parking)	MTS	To allow for delivery vehicles to load/unload safely
23	Marmont Road	Peckham	Convert existing single yellow line (restricted parking) to double yellow lines (no waiting/parking)	GSTC	To prevent access being blocked to the car park, estate and traffic filter
26	Green Hundred Road	Old Kent Road	Remove permit bay and replace with double yellow lines (no waiting/parking)	BH	Removal of parking required to install vehicle crossover
27	St Marychurch Street	Rotherhithe	Relocate cycle hangar and install double yellow lines (no waiting/parking)	BH	Removal of double yellow lines required for cycle hangar to be installed
28	Grove Lane/ De Crespigny Park	St Giles	Remove existing shared use bay and replace with double yellow lines (no waiting/parking) and relocation of cycle hangars	BH	Removal of parking required for double yellow lines to be installed Relocation of cycle hangars to facilitate use of the footway.
29	Rushworth Street	Borough & bankside	Remove one permit holder only bay and replace with cycle rack	MTS	Demand for more safe cycle parking
33	Larcom Street	North Walworth	Remove "school keep clear" markings and replace with double yellow lines (no waiting/parking)	MTS	School has been closed down and "School Keep Clear" markings are no longer needed.

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
37	Great Suffolk Street	Borough & Bankside	Convert existing single yellow lines (restricted parking) to double yellow lines (no waiting/parking) and installation of parking permit bay	MTS	To allow for more permit parking
38	McDowall Road	Camberwell Green	Install traffic calming measures ("road humps")	DHB	To reduce speeding and to prevent any hazards
39	Blue Anchor Lane	South Bermondsey	Install traffic calming measures ("road humps")	DHB	To reduce speeding and to prevent any hazards
40	Roberts Close	Surrey Docks	Relocate existing car club bay and. convert pay by phone bay to car club bay	MTS	To enable installation of car club scheme for the new residential plots
42	Queen Elizabeth Street – junctions with Boss St, Lafone St, Three Oak Lane, Curlew St and Shad Thames	North Bermondsey	Install blips (loading restrictions) on existing double yellow lines for junction protection	MTS	Junction protection
43	Gainsford St– junctions with Horselydown Lane, Lafone St, Curlew St, Maguire St and Shad Thames	North Bermondsey	Install blips (loading restrictions) on existing double yellow lines for junction protection	MTS	Junction protection
44	Crawthow Grove	Goose Green	Install double yellow lines (no waiting/parking)	MTS	To prevent obstruction to pedestrian crossing
45	Warner Road	Camberwell Green	Relocate existing disabled bay	DB	To allow for a drop kerb for wheelchair access
46	Hollydale Road	Nunhead & Queens Road	Extend existing disabled bay	DB	Resident needs access to both ends of disabled bay to facilitate loading/unloading of wheelchair

Appendix reference	Location	Ward	Proposal	Funding	Reason for proposal
48	Sydenham Hill various junctions	Dulwich Wood	Install and extend double yellow lines (no waiting/parking)	MTS	To create better visibility for junction protection

Policy implications

13. The proposals set out in Table 1 support the following objectives of the Council's Delivery Plan by making the relevant highways safer and more pleasant for pedestrians and cyclists by reducing the dominance of vehicular traffic:

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.

14. The proposals 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.

15. The relevant SfP pledges and how the proposals set out in Table 1 achieve these pledges are set out below:

Objective 1 – Reduce the need to own or use a car.

For example, converting on street parking bays at Hatfields, Champion Park, Chadwick Road and Rushworth Street into cycle toaster racks/stands on the carriageway allows for more cycle parking and this encourages people to cycle.

Objective 4 – Improve safety and security for everyone using our streets.

For example installing speed humps at Sartor Road, Yalding Road, McDowall Road and Blue Anchor Lane will reduce speeding so a hazard doesn't occur.

Installing double yellow lines at the Queen Elizabeth Street junctions and the Gainsford St junctions with blips will prevent cars from waiting and parking at these locations will improve safety and provide clear visibility for traffic at the junctions.

Objective 5 – Make walking, cycling and wheeling easier

Installing double yellow lines at the various locations and junctions will reduce the dominance of motor vehicles facilitating movements for pedestrians and cyclists. Double yellow lines across drop kerbs at Crawthrew Grove and Warner Road will enable pedestrians and

wheelchair/pram users to access the footway safely.

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

Community impact statement

16. The majority of the proposals set out Table 1 above were requested by residents and they benefit the community by providing cycle parking, slowing vehicular traffic and creating safer junction protection for everyone.
17. The proposals 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.
18. 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, on the public highway by installing traffic calming measures and double yellow lines with blips at junctions to help them have clear visibility when crossing.

Equalities (including socio-economic) impact statement

19. The Public Sector Equality Duty ("PSED") is set out in section 149 of the Equality Act 2010 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.
20. Officers have carried out an equalities impact and needs analysis in light of the council's PSED to assess the impact of the Table 1 proposals on groups with protected characteristics and to assess whether any mitigating actions could be taken to promote equality and tackle inequalities. Overall, officers consider the proposals have a positive impact on persons with protected characteristics and promote equality of opportunity because it will encourage and improve safe use of the highway by all and for all road users.
21. The introduction of double yellow lines (no waiting/parking) at Vanguard Court, Red Post Hill, Carlton Grove, Melbourne Grove, Wren Road, Bushey Hill Road, Rotherhithe New Road, Cow Lane, Limesford Road, Marmont Road, Somerford Way, Green Hundred Road, St Marychurch Street, Grove Lane/De Crespigney Park, Larcom Street, Great Suffolk Street, Crawthorpe Grove and Sydenham Hill and single yellow lines (restricted parking) at Hatfields will benefit elderly and younger pedestrians and those pedestrians with disabilities who will be able to cross the road safely as the presence of

motor vehicles will be reduced and views of oncoming traffic will not be restricted by vehicles parked near the relevant junctions. Notwithstanding the no waiting/parking restrictions introduced by the double yellow lines, drivers with disabilities who hold a blue badge will be able to park on the double yellow lines for up to 3 hours.

22. Introducing blips (loading restrictions) at the Queen Elizabeth Street junctions and Gainsford Street junctions will provide the same benefit explained above in that elderly and younger pedestrians and those pedestrians with disabilities will be able to cross the road safely as their view and access will not be restricted by vehicles stopped near the junction.
23. The conversion, extension and relocation of the various parking bays at Red Post Hill, Melbourne Grove, Wren Road, Empress Street, Crawthorpe Grove, Bushey Hill Road, Green Hundred Road, Grove Lane/ De Crespigny Park, Roberts Close, Warner Road and Hollydale Road are not anticipated to have any adverse effects on persons with protected characteristics. The amendments to the parking bays at Melbourne Grove, Bushey Hill Road, Crawthorpe Grove, Warner Road and Hollydale Road will enable the installation of a dropped kerb which benefits elderly, mothers and persons with disabilities by facilitating access to the footway when crossing the road and when exiting vehicles.
24. The introduction of a shared use parking bay at Cow Lane and a parking permit bay at Great Suffolk Street Road will provide parking availability for those who most need it, in particularly those with disabilities, mothers with young children and the elderly.
25. The removal of parking bays to make way for cycle parking at Hatfields, Chadwick Road, Champion Park, and Rushworth Street is not anticipated to have an adverse effect on persons with protected characteristics. The relocation of the cycle hangar at St Marychurch Street and Grove Lane/ De Crespigny Park is necessary to improve sight lines of traffic for approaching pedestrians and vehicles which will again benefit elderly and younger pedestrians and those with disabilities by making the footway safer.
26. Officers have not identified any adverse impacts on persons with protected characteristics for the proposals on Manciple Road, Roberts Close, Wyndham Road, Sartor Road, Yalding Road, McDowall Road, Blue Anchor Lane.

Health impact statement

27. 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

28. 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. The proposals set out in Table 1 include the delivery of secure cycle parking facilities at Hatfields, Chadwick Road, Champion Park, and Rushworth Street which will encourage cycling as a mode of transport over motor vehicles.

29. By introducing the proposals set out in Table 1 the environment has been made safer for pedestrians and cyclists, promoting active travel. The proposals will reduce the use of motor vehicles by removing parking by the use of double yellow lines which will in turn reduce air pollution and carbon emissions.
30. A just and inclusive transition is at the heart of the council's 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

31. All costs arising from implementing the recommendations will be fully contained within the existing business unit capital and revenue budgets.
32. MTS schemes will be contained within parking revenue budgets.
33. The estimated costs for the batch of schemes detailed in Table 1 are:
- MTS/Permanent schemes - £23k
 - BH/Permanent Schemes – £11k
 - DPPP/Permanent Schemes – £2k
 - DHB/Permanent Schemes - £35k
 - GSTC/Permanent Schemes - £1k

Timescales

34. If the recommendations are approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:
- Statutory consultation – March 2024
 - Reporting back to Cabinet Member with determination of objections (if necessary) – May 2024
 - Implementation – June 2024 (if no objections are received)

Legal implications

Statutory Framework

35. In summary, if the recommendations are approved by the Cabinet Member, the traffic and highway improvements set out in Table 1 will be carried out by the council under powers within the 1980 Act and any restrictions will be introduced by TMOs made under various powers in the 1984 Act.

Proposals under the 1980 Act

36. Section 62 of the 1980 Act gives the council 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 provide dropped and new kerbing at Melbourne Grove under this general power.

37. There are specific powers under the 1980 Act which enable the council to carry out the following:

- (a) construct traffic calming works (sections 90A-90F) (explained in detail below); and
- (b) placing planter beds at Union Street (section 115B).

Traffic Calming Measures - Road Humps

38. For the purposes of this section the introduction of traffic calming measures will be referred to as “road humps.”

39. 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.¹ Traffic calming measures are proposed at Sartor Road, Yalding Road, McDowall Road and Blue Anchor Lane.

Procedure for implementing road humps

40. 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.

41. 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

¹ “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.”

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.

42. 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.
43. 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.
44. The council must ensure the humps are constructed to the standards prescribed in the 1999 Regulations.

Restrictions to be introduced by way of TMOs made under the 1984 Act

45. Many of the proposals set out in Table 1 require traffic restrictions which will be implemented by way of TMOs made under sections 6 and 124 of the 1984 Act (and the specific sections mentioned below).
46. 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).

47. 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.

48. TMOs will:

- (a) introduce double yellow lines (no waiting/parking) at any time which is authorised by paragraphs 14 and 15 of Schedule 1 of the 1984 Act. at Vanguard Court, Red Post Hil, Carlton Grove, Melbourne Grove, Wren Road, Bushey Hill Road, Rotherhithe New Road, Cow Lane, Limesford Road, Marmont Road, Somerford Way, Green Hundred Road, St Marychurch Street, Grove Lane/De Crespigney Park, Larcom Street, Great Suffolk Street, Crawthrew Grove and Sydenham Hill.
- (b) introduce single yellow lines (restricted parking) at Hatfields which is authorised by paragraphs 14 of schedule 1 of the 1984 Act .
- (c) remove, convert, extend and relocate the various parking bays at Hatfield, Chadwick Road Red Post Hill, Melbourne Grove, Champion Park, Wren Road, Empress Street, Crawthrew Grove Bushey Hill Road Green Hundred Road, Rushworth Street, Grove Lane/ De Crespigney Park, Roberts Close, Warner Road and Hollydale Road as authorised by sections 45, 46 and 49 of the 1984 Act.
- (d) introduce a shared use parking bay at Cow Lane and introduce a parking permit bay at Great Suffolk Street Road as authorised by sections 45 and 46 of the 1984 Act.
- (e) introduce and relocate cycle parking in accordance with section 63 of the 1984 Act at Hatfields Chadwick Road, Champion Park, St Marychurch Street, Grove Lane/ De Crespigney Park and Rushworth Street.
- (f) extend existing loading bay times at Wyndham Road in accordance with paragraphs 7 and 8 of Schedule 1 of the 1984 Act.
- (g) introduce blips (loading restrictions) at Queen Elizabeth Street – (junctions with Boss St, Lafone St, Three Oak Lane, Curlew St and Shad Thames) and Gainsford St (junctions with Horselydown Lane, Lafone St, Curlew St, Maguire St and Shad Thames) authorised by paragraph 7, schedule 1 of the 1984 Act.

49. Officers note that any road marking or traffic signs required to convey the above traffic restrictions (including at Manciple Street) will be introduced in accordance with section 64 of the 1984 Act and the Traffic Signs Regulations and General Directions 2016.

50. In respect of the various parking restrictions set out at paragraph 45(c) and (d) officers have considered both the interests of traffic and those of the owners and occupiers of adjoining property in accordance with section 45(3) of the 1984 Act. Residents have requested these be introduced to facilitate their use of the highway and access to their premises (see the appendices for more detail).
51. 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.
52. 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.
53. In light of the issues discussed in this report and having regard to the matters listed in section 122(2), officers consider that the proposals set out in Table 1 will enable the Council to meet its duty under section 122 of the RTRA 1984. Officers refer to the relevant reasons for proposals in Table 1. The matters which have pointed in favour of implementing the proposals are vehicle and pedestrian safety, the encouragement of active travel, securing and maintain reasonable access to premises (particularly for residents with disabilities) and improving the amenity of the area. These also give effect to the objectives in the SfP Strategy.
54. 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.

55. Officers consider that by implementing proposals the council's network management duty is satisfied for the reasons discussed at paragraph 53.

Statutory Consultation and Objections

56. Should the Cabinet Member approve the recommendations set out in this report, the council will need to make TMOs under sections 6 and 124 of the 1984 Act and in accordance with the procedure set out in the 1996 Regulations.
57. 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.
58. 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.
59. 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 1984 Act. 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.
60. None of the proposals require 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 TMO

61. Following statutory consultation, any objections will be reported to the Cabinet Member for determination whether to proceed with the making of TMO. 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). Should the recommendation be approved the Council will need to give notice of its intention to make a traffic order in accordance with the 1996 Regulations.
62. 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).

63. 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 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.
64. The TMO will only come into force once the council has published the notice of making, referred to in paragraph 63 above confirming the order has been made.
65. 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

66. The estimated costs for the permanent schemes is £72k for which there is sufficient funding from existing Highways capital and revenue budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance (AGG - 07/02/2024)

67. The Cabinet Member is asked to approve the recommendations set out at paragraphs 1 to 5 of this report to introduce the various highway and traffic proposals detailed in the appendices to this report and summarised in Table 1 by way of permanent TMOs and powers exercised under the 1980 Act. 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.
68. The background and reasons for the proposals are detailed in the body of the report. To implement some of the proposals the council will make TMOs 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 received via the statutory consultation to any of the proposals which require a TMO then officers will present a further report to the Cabinet Member for him to determine whether to proceed with the making of the relevant TMO.
69. 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 51 to 53. Officers have carried out the exercise of balancing this duty with the various

matters listed under section 122(2) and have recommended that proposals should be implemented by way of a TMO.

70. Officers have considered the council's PSED under section 149 of the 2010 Act at paragraphs 19 to 26 of this report and have concluded that the proposals are not considered to have any adverse impacts on persons with protected characteristics, and will advance equality of opportunity.
71. 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.
72. 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 28 to 30 above.

Strategic Director of Finance (ENG23/148)

73. This report requests approval from the Cabinet Member for Climate Emergency, Clean Air & Streets to implement a number of non-strategic traffic and highway improvements and complementary street space measures as summarised in Table 1 of this report.
74. The strategic director of finance notes that the estimated costs for these batch of improvements is £72k and there is sufficient resources within the budgets specified in paragraph 30 of this report to fund these proposals.
75. Staffing and other costs connected with this recommendation to be contained with existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Streets for People Strategy 2023	Southwark Council Environment, Neighbourhoods and Growth Department Highways 160 Tooley Street London SE1 2QH	Katie Reeves – Katie.Reeves@so uthwark.gov.uk
Streets for People - Southwark Council		
Climate Change Strategy	Southwark Council Environment, Neighbourhoods and Growth Department 160 Tooley Street Second Floor London SE1 2QH	Tom Sharland (tom.sharland@so uthwark.gov.uk)
https://www.southwark.gov.uk/environment/climate-emergency?chapter=3		

APPENDICES

No.	Title
Appendices 1 to 48	Evidence base for each proposal

AUDIT TRAIL

Lead Officer	Dale Foden – Head of Highways	
Report Author	Katie Reeves - Highways	
Version	Final	
Dated	11 February 2024	
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	Yes	Yes
Climate Change Strategy	Yes	Yes

Cabinet Member	Yes	No
Date final report sent to Constitutional Team	26 February 2024	