

Decision Taker:	Cabinet member for Clean Air, Streets and Waste
Date:	25 September 2024
Report title:	E-scooter and E-bike parking bays
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Director of Environment

RECOMMENDATION(S)

1. That the Cabinet Member for Cabinet Member for Clean Air, Streets and Waste:
 - a. Approves the implementation of 160 parking bays for e-scooters and e-bikes at the locations detailed in Table 1 and Table 2, by way of orders made under the Road Traffic Regulation Act (“1984 Act”), subject to the outcome of any necessary statutory consultation and procedures.
 - b. Instructs officers to make the necessary permanent Traffic Management Orders (“TMOs”) in accordance with sections 6, 45, 46, 49 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”).
 - c. To authorise officers to exercise discretion as to whether or not to hold a public inquiry in the event objections are received related to the proposed TMO following statutory consultation pursuant to Regulation 9(1) of the 1996 Regulations.
 - d. Notes that in the event objections to the proposed permanent 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 TMO.

BACKGROUND INFORMATION

2. In July 2023, Cabinet approved the Streets for People (“SfP”) transport strategy. The council is taking ambitious steps to improve the air we breathe in Southwark by moving away from favouring cars and freeing up space for walking, cycling and public transport. The council is improving walking and cycling routes to schools; creating more opportunities to walk and cycle; investing in our community spaces by making them safer, greener and more pleasant environments.

3. The proposal presented in this report provides further opportunities for cycling and active travel in the borough through greater provision of dedicated parking for e-bikes and e-scooters.
4. There is a growing demand for the use of both e-bikes and e-scooters and the council is committed to enabling this increased growth and providing further provision for the residents of Southwark.
5. The implementation of more parking bays will have a significant positive impact in making Southwark a cycle friendly borough, encouraging cycling and in turn reducing air pollution from vehicles.
6. When Cabinet approved the SfP strategy in July 2023, a commitment was made to consult with residents to identify what improvements they would like on their street. A SfP ward based consultation ran from September 2023 to March 2024. 9,000 responses were received and within that feedback some residents requested the council manage e-bikes so that the bikes do not cause an obstruction on the footway. This proposal to introduce more parking bays should go some way to help mitigate this issue.

E-scooters

7. To date the council has been participating in the pan London e-scooter trial managed by Transport for London (“TfL”) since May 2021. There are currently 10 participating local authorities and this trial was extended until May 2026.

E-bikes

8. In November 2022, the Cabinet Member approved trialling e-bikes in the borough. Two operators of e-bikes have agreed memorandums of understanding that clearly stipulate the locations where, and the associated numbers of vehicles that, may be deployed. There is a provision for a total of 1800 e-bikes to be deployed in the borough. The memorandums of understanding are reviewed and agreed annually by the council. To date there have been nearly nine million trips made on e-bikes in the borough, hence the need for further parking bays.

Proposed increase in parking provision

9. E-scooters have to be hired from dedicated parking bays and off-hired into dedicated parking bays.
10. E-bikes can be hired and returned from anywhere in the borough as long as they are not causing an obstruction. The two operators have 24 hours to deploy a bike returned outside of a dedicated parking bay back into a dedicated parking bay.
11. There is a need to increase parking for both e-scooters and e-bikes because of the number of parked e-scooters and e-bikes causing an obstruction on the highway. The aim is to provide adequate parking provision across the whole borough to reduce these obstructions.
12. Officers are seeking approval to implement a TMO to make permanent the majority of the parking bays implemented by way of previous experimental traffic orders made in April 2023 and February 2024 (see Table 1 below) as well as introducing 14 additional bays all of which will be located on the carriageway, with the exception of three bays in the footway (see Table 2 below).

13. Each e-scooter and e-bike parking bay will be positioned on the carriageway in an existing car parking bay save for three bays: Deal Porter Square (east end), Southwark Park Road (south side, opposite blue market) and Surrey Quays Road (north side, west of junction with Needleman Street), which will be located on the footway. It may be necessary to amend the designation of the existing parking bays through new signage and corresponding markings on the ground.

Table 1 – Locations of current e-bike and e-scooter parking bays to be made permanent

STREET	PROPOSED LOCATION OF NEW E-SCOOTER & CYCLE HIRE PARKING
ALBANY ROAD	north-west side, opposite Burgess Park BMX track
ALEXIS STREET	south-west side, south-east of its junction with Linsey Street
ALSCOT ROAD	north-west side, south-west of its junction with Grange Road
ASPINDEN ROAD	south-east side, north-east of its junction with Raymouth Road
ASYLUM ROAD	north-east side, between its junctions with Old Kent Road and Gervase Street
ASYLUM ROAD	north-east side, opposite No. 84 Asylum Road
AYSGARTH ROAD	north-east side, side of No. 256 Turney Road
AZENBY ROAD	south-west side, o/s No. 93 Azenby Road
BAGSHOT STREET	south-west side, opposite No. 35 Bagshot Street
BALCHIER ROAD	north-east side, opposite Nos. 6 and 8 Balchier Road
BALFOUR STREET	south-west side, south of its junction with New Kent Road
BARSET ROAD	south-west side, side of No. 135 Evelina Road
BELLENDEN ROAD	south-east side, o/s No. 145 Bellenden Road
BERMONDSEY STREET	north-west side, opposite Nos. 221 and 223-233 Bermondsey Street
BIRD IN BUSH ROAD	north-east side, south-east of its junction with Peckham Park Road
BLANCHEDOWNE	south-east side, opposite No. 11 Blanchedowne
BLENHEIM GROVE	south-east side, o/s All Saints Church Hall Blenheim Grove
BOSS STREET	south-east side, south of its junction with Queen Elizabeth Street
BOUNDARY LANE	south-east side, side of No. 73 Camberwell Road
BOURNEMOUTH ROAD	south-west side, north-east of its junction with Rye Lane
BOWEN DRIVE	north-east side, o/s No. 5 Bowen Drive
BRAGANZA STREET	north-east side, o/s Kennington underground station
BURCHELL ROAD	north-west side, south-west of its junction with Queens Road
BURRELL STREET	east side, side of Nos. 4-5 Burrell Street
BURTON GROVE	north-west side, opposite Nos. 50 to 60 Burton Grove
BYWATER PLACE	south-east side, north-east of its junction with Salter Road

STREET	PROPOSED LOCATION OF NEW E-SCOOTER & CYCLE HIRE PARKING
CAMBERWELL GREEN	north-east side, o/s Block M, Peabody Buildings Camberwell Green
CARVER ROAD	north side, east of its junction with Herne Hill
CASINO AVENUE	south-east side, o/s No. 116 Casino Avenue
CAULFIELD ROAD	north-east side, opposite No. 24 Caulfield Road
CHAMPION HILL	south-west side, opposite No. 29 Champion Hill
CHAMPION PARK	north-west side, o/s Denmark Hill Station
CHAPTER ROAD	south-east side, south of its junction with Braganza Street/Manor Place
CLIFTON CRESCENT	south side, opposite Nos. 40 and 41 Clifton Crescent
CLIFTON WAY	south side, east of its junction with Loder Street
COBOURG ROAD	north-west side, south-west of its junction with Old Kent Road
COLLEGE ROAD	east side, opposite Dulwich Picture Gallery
COLYTON ROAD	north-west side, opposite No. 28 Colyton Road
COMFORT STREET	north-east side, south-east of its junction with St Georges Way
CRAWTHEW GROVE	south-east side, north-east of its junction with Lordship Lane
CRESCENT WOOD ROAD	south-west side, north-west of its junction with Sydenham Hill
CROXTED ROAD	north-east side, side of No. 1 Kennoldes, Croxted Road
DAGMAR ROAD	north-east side, south of Peckham Road
DEVERELL STREET	north-east side, north-west of its junction with Bartholomew Street
DRACO STREET	south-west side, side of No. 128 Olney Road
DRUID STREET	south-east side, south-west of its junction with Tooley Street
DULWICH WOOD AVENUE	south-west side, south-east of its junction with Dulwich Wood Park
DULWICH WOOD AVENUE	north-west side, east of its junction with Gipsy Hill
DUNSTANS ROAD	south-east side, opposite No. 14 Dunstans Road
EAST DULWICH ROAD	north-west side, o/s Nos. 54 and 56 East Dulwich Road
ELMINGTON ROAD	south-east side, o/s Nos. 110a and 114a Elmington Road
ELMWOOD ROAD	north-east side, opposite No. 78 Elmwood Road
ENID STREET	south-west side, north-west of its junction with Rouel Road
EXON STREET	south-west side, south-east of its junction with East Street
EYNELLA ROAD	south-east side opposite its junction with Woodward Road
FOREST HILL ROAD	south-west side, o/s No. 36 Forest Hill Road
FOUNTAIN DRIVE	south-west side, north-west of its junction with Crystal Palace Parade
FRIERN ROAD	south-east side, opposite No. 2 Friern Road

STREET	PROPOSED LOCATION OF NEW E-SCOOTER & CYCLE HIRE PARKING
FURLEY ROAD	north-east side, north-west of its junction with Fenham Road
GALLERY ROAD	west side, north of its junction with Thurlow Park Road
GIBBON ROAD	south-west side, o/s No. 6 Gibbon Road
GLENGALL ROAD	north-east side, o/s No.183 Glengall Road
GODMAN ROAD	south-east side, opposite No. 24 Godman Road
GOODRICH ROAD	north-east side, side of No. 206 Friern Road
GORDON ROAD	south-west side, south-east of its junction with Brayards Road
GRACES ROAD	north-west side, opposite Nos. 33 and 35 Graces Road
GREAT GUILDFORD STREET	north-east side, south-east of its junction with Sumner Street
GREEN DALE	south-west side, north-west of its junction with East Dulwich Grove
GREEN HUNDRED ROAD	south-west side, south-east of its junction with Peckham Park Road
GROSVENOR PARK	north-west side, opposite No. 55 Grosvenor Park
HALF MOON LANE	north side, o/s No. 15 Half Moon Lane
HAMPTON STREET	south-east side, south-west of its junction with Steedman Street
HANSLER ROAD	south-west side, south-east of its junction with Lordship Lane
HARLESCOTT ROAD	north-west side, south-west of its junction with Ivydale Road
HEBER ROAD	north side, east of its junction with Lordship Lane
HILLINGDON STREET	north-west side, o/s Nos. 1 to 68 Prescott House Hillingdon Street
HOLMDENE AVENUE	south-west side, side of No. 93 Herne Hill
ILDERTON ROAD	south side of the Ilderton Road spur, o/s No. 13 Ilderton Road
KEETON'S ROAD	south-west side, south-east of its junction with John Roll Way
KING AND QUEEN STREET	south-west side, north-west of its junction with East Street
KINGLAKE STREET	north-east side, opposite its junction with Upnor Way
KINGSWOOD DRIVE	south-east side, side of No. 26 Hitherwood Drive
KNATCHBULL ROAD	north-west side, opposite Nos. 39 and 41 Knatchbull Road
LAMBETH ROAD	south-east side, south-west of its junction with St George's Road
LANGTON RISE	north-east side, north-west of its junction with Wood Vale
LEATHERMARKET STREET	north-side, o/s No. 4 Leathermarket Street
LEROY STREET	south-east side, north-east of its junction with Old Kent Road
LIBRARY STREET	east side, north of its junction with Borough Road
LINDEN GROVE	south-west side, o/s entrance to Nunhead Cemetery Linden Grove

STREET	PROPOSED LOCATION OF NEW E-SCOOTER & CYCLE HIRE PARKING
LISFORD STREET	north-west side, opposite Nos. 48 and 50 Lisford Street
LOMOND GROVE	south-west side, opposite No. 105 Lomond Grove
LORDSHIP LANE	south-west side, o/s St Thomas More RC Church, Lordship Lane
LORDSHIP LANE	south-east side, o/s No. 89 Lordship Lane
LORDSHIP LANE	south-west side, o/s No. 340 Lordship Lane
LYALL AVENUE	north-east side, east of its junction with Bowen Drive
LYNTON ROAD	south-west side, opposite Nos. 75 and 77 Lynton Road
MALTBY STREET	north-east side, south-east of its junction with Millstream Road
MANCIPLE STREET	north-east side, south-east of its junction with Pilgrimage Street
MANOR PLACE	north-west side, south-west of its junction with Walworth Road
MARMORA ROAD	north-west side, o/s No. 6 Marmora Road
MCDERMOTT ROAD	north-west side, north-east of its junction with Costa Street
MEDLAR STREET	south side, opposite No. 5 Medlar Street
MELBOURNE GROVE	north-west side, opposite Nos. 1B-1C Melbourne Grove
MELBOURNE GROVE	south-west side, south-east of its junction with East Dulwich Grove
MELFORD ROAD	south-east side, o/s No. 2 Melford Road
MONCRIEFF STREET	north-west side, opposite Nos. 90 and 92 Moncrieff Street
MOODY ROAD	north-east side, opposite No. 31 Moody Road
NUNHEAD GREEN	south-west side, south-east of The Green Community Centre
OSWIN STREET	north-west side, o/s No. 1 Oswin Street
PARDONER STREET	south-east side, south-west of its junction with Weston Street
PARK HALL ROAD	north-west side, opposite No. 84 Park Hall Road
PARK STREET	south-west side, o/s No. 23 Park Street
PENNETHORNE ROAD	north-east side, opposite No. 6 Pennethorne Road
PENTON PLACE	north-east side, opposite No. 60 Penton Place
PHILIP WALK	north side, east of its junction with Rye Lane/Peckham Rye
PURBROOK STREET	south side, east of its junction with Tower Bridge Road
RAINBOW STREET	south-east side, north-east of its junction with Southampton Way
RED POST HILL	north-east side, o/s North Dulwich Station
RENNIE STREET	west side, south of its junction with Upper Ground
ROLLS ROAD	south-west side, o/s Nos. 7/16 Mandeville House (Astley Estate)
ROTHERHITHE STREET	south-east side, o/s Surrey House (No. 236 Rotherhithe Street)

STREET	PROPOSED LOCATION OF NEW E-SCOOTER & CYCLE HIRE PARKING
SOUTHWARK PARK ROAD	north-east side, opposite No. 395 Southwark Park Road
SPA ROAD	north-west side, o/s Cube House (No. 5 Spa Road)
ST GEORGE'S WAY	south-east side, east of its junction with Cator Street
ST MARY'S ROAD	north-east side, opposite No. 34 St Mary's Road
STRADELLA ROAD	north-west side, side of No. 23 Burbage Road
SUMNER ROAD	north-east side, north-west of its junction with Rosemary Road
THE CUT	north-west side, north-east of its junction with Hatfields
THORNCOMBE ROAD	north-east side, side of No. 129 East Dulwich Grove
THURLOW STREET	south-west side, south-east of its junction with Inville Road
TOWNSEND STREET	north-west side, in between its junctions with Beckway Street and Crosslet Street
TURNEY ROAD	south-east side, north-east of its junction with Croxted Road
UNION STREET	north side, o/s Nos. 152/154 Union Street
UPLAND ROAD	north-east side, o/s Nos. 1 to 4 Station House Crystal Palace Road
VALMAR ROAD	south-east side, opposite No. 56 Valmar Road (Elm Tree Court)
WAITE STREET	north side, west of its junction with Trafalgar Square
WANSEY STREET	north-west side, south-west of its junction with Brandon Street
WARHAM STREET	south-east side, north-east of its junction with Camberwell New Road
WAVENEY AVENUE	south-east side, north-east of its junction with Peckham Rye
WEBB STREET	south-east side, north-west of its junction with Swan Mead
WESTON STREET	Near junction with Leathermarket Street
WILSON GROVE	north-east side, north-west of its junction with Jamaica Road
WOOD VALE	north-west side, side of No. 565 Lordship Lane
WYNDHAM ROAD	north-west side, north-east of its junction with Toulon Street
YALDING ROAD	south-west side, north-west of its junction with Cadbury Way
ZENORIA STREET	north-west side, west of its junction with Lordship Lane

Table 2 –Locations of proposed new parking bays

STREET	PROPOSED LOCATION OF NEW E-SCOOTER & CYCLE HIRE PARKING
ALLEYN PARK	East side, north of Little Bornes
BARRY ROAD	north end, near junction with Peckham Rye
BRAMCOTE GROVE	Between Verney Road and Varcoc Road
CRYSTAL PALACE ROAD	West side, near Dulwich Leisure Centre

DE CRISPIGNY PARK	West end
DEAL PORTER SQUARE	East side
DODDINGTON GROVE	Near junction with Doddington Place
GIBBON ROAD	between Oakdale Road and Hollydale Road
PARK HALL ROAD	north side, near junction with Croxted Road
SOUTHWARK PARK ROAD	South side, opposite blue market
ST AIDAN'S ROAD	west side, near junction with Peckham Rye
STUART ROAD	South side, west end
SURREY QUAYS ROAD	North side, west of junction with Needleman Street
TURNEY ROAD	North side, near Dulwich Sports Ground

KEY ISSUES FOR CONSIDERATION

Consultation

14. Under Part 3H of the council's constitution, the relevant Multi-Ward Forum shall be consulted on any non-strategic traffic and highways improvement.
15. Officers have identified a list of locations to implement parking bays and consulted with the operators of e-bikes and e-scooters and ward councillors who make up the relevant Multi Ward Forums.
16. Feedback has been received from residents with regard to the parking bays that were implemented under the experimental traffic order. As a result the bays at Liverpool Grove, Barry Road, Cooks Road, Cyrena Road, Hawkstone Road, Linden Grove, Rotherhithe Street, Sturgeon Road, Sweeney Crescent, Trinity Street, Calton Avenue, Nicholson Street John Ruskin Street, and Weston Street have been removed due to concerns by residents and feasibility and access issues.
17. A number of bays have been relocated to better locations following engagement with local residents (Barry Road, Bramcote Road, Elland Road and Gibbon Road).
18. Most parking bays implemented by the experimental orders are being made permanent. However, any objections received through the experimental order process for a parking bay at a specific location, have been duly considered against all factors and these residents have been notified about the proposals to make these locations permanent. Objections ranged from not wanting the parking bay outside their property because they are not visually attractive or because they create noise when the bikes are being parked and serviced and some residents are not supporters of e-bikes.

Policy framework implications

19. The proposals are consistent with the pledges and objectives set out in the SfP strategy which outlines the council's ongoing commitment to, and ambition for, healthier neighbourhoods, cleaner air, thriving town centres and safer roads.
20. The relevant SfP pledge and how the proposal will achieve these pledges is set

out below:

Objective 5 – Make walking, cycling and wheeling easier

Installing e-bike/e-scooter parking bays on the carriageway reduces the dominance of motor vehicles facilitating movements for pedestrians and cyclists.

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

Community impact statement

21. The recommendations are locally based and therefore will have greatest effect upon those people living, working or travelling in the vicinity of the area where the parking bays are located.
22. Any interventions that could pose a risk to pedestrians and motorists will be identified and adjusted as part of the road safety review and community feedback.
23. Pedal assisted e-bikes and e-scooters will help people with certain health conditions that the use of traditional cycles poses as a challenge.
24. There is no impact on other road users in terms of moving vehicles, but there will however be a reduction in the number of vehicle parking bays. There are 23,284 various types of car parking bays in over 2000 streets within the borough and as such the impact in the loss of this small number of bays across the whole borough will have little or no impact.
25. With the exception of those benefits and risks identified above, the recommendations are not considered to have a disproportionate effect on any particular community group.

Equalities (including socio-economic) impact statement

26. 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.
27. An equalities impact and needs analysis has been undertaken in light of the council’s PSED to assess the impact of the implementation of the e-bike and e-scooter parking bays on groups with protected characteristics and to assess whether any mitigating actions could be taken to promote equality and tackle inequalities. The proposals are not considered to have any adverse effects including socio-economic or health impacts on those with protected characteristics.

28. The introduction of 160 new parking bays for e-bikes and e-scooters will provide additional locations to park within designated bays and encourage users to park within designated bays. In addition, the bays will be installed in an even spread across the borough and therefore provide residents and users alternative methods of transport.
29. There are 23,284 various types of parking bays in over 2000 streets within the borough so the possible impact on vulnerable people and carers will be negligible. No disabled bays will be removed to facilitate the bays. There will also be some positive impacts for disabled people, carers and older frail people because the additional parking bays will help to minimise e-bikes or e-scooters being left on pavements and causing an obstruction which will foster good relations between those with and without a disability. .
30. The agreement between operators and the council remains so that operators must manage and remove obstructive e-scooters and e-bikes within 24 hours, as well as report on the number of complaints received to the council to mitigate the impact of any improperly parked e-scooters and e-bikes.
31. The council will continue to monitor feedback and any complaints to ensure there is no negative impact on disabled people, carers and older frail people.

Health impact statement

32. Active travel improves physical and mental wellbeing. A shift towards greater e-bike and e-scooter use and away from car use could also contribute to improvements in air quality, with associated health benefits. The assessment and monitoring of the impact on vulnerable road users is welcome.

Climate change implications

33. 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.
34. By introducing more parking bays for e-bikes and e-scooters the environment will be made safer for pedestrians and cyclists, promoting active travel. The proposals will reduce the use of motor vehicles by removing motor vehicle parking and converting these spaces in to parking bays for e-scooters and e-bikes which will in turn reduce air pollution and carbon emissions.
35. 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

36. Existing staff resources within the network management and highway divisions will manage the installation of the new parking bays and once implemented, will manage them going forward.

Financial implications

37. Most of the parking bays are already in situ as they were set up during the trials under experimental traffic orders to implement parking stations for e-scooters and e-bikes. Therefore, there are no significant additional costs anticipated to implement the remaining bays, any costs ensuing will be contained within the existing network management revenue budget.

Legal Implications

Statutory Framework

38. In summary, if the recommendation is approved by the Cabinet Member, the parking bays will be implemented by way of TMOs made under sections 6, 45, 46, 49 and 124 of the 1984 Act.
39. 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).
40. The relevant purpose for which the TMOs will be made is (c) and (f). Creating dedicated parking bays for e-bikes and e-scooters will encourage users to park in the appropriate bays rather than parking carelessly on the footway and causing an obstruction to pedestrians.
41. 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.

42. 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.
43. 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.
44. 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 to implement the e-scooter and e-bike parking bays will enable the Council to meet its duty under section 122 of the 1984 Act. The matters which have pointed in favour of implementing the proposals are the encouragement of active travel, pedestrian safety and improving the amenity of the area. These also give effect to the objectives in the SfP Strategy.
45. In respect of designating parking for e-bikes and e-scooters 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.
46. As mentioned above, there are 23,284 various types of motor vehicle parking bays in over 2000 streets within the borough. The proposals set out in this report if approved, will result in the loss of what is a small number of bays in the context of the whole borough. The free movement of pedestrian traffic on the footway will be maintained because e-bikes/e-scooters will be parked in designated bays causing less obstructions on the highway.
47. 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.

48. Officers consider that the council's duty under section 16 of the Traffic Management Act 2004 is satisfied for the reasons set out at paragraph 44.
49. Officers note that any road marking or traffic signs required to convey the above traffic restrictions will be introduced in accordance with section 64 of the 1984 Act and the Traffic Signs Regulations and General Directions 2016.

Consultation

Statutory Consultation and Objections

50. Should the Cabinet Member approve the recommendations set out in this report, the council will need to make TMOs under sections 6, 45, 46, 49 and 124 of the 1984 Act and in accordance with the procedure set out in the 1996 Regulations.
51. 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.
52. 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.
53. 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.
54. 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

55. 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.

56. 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).
57. 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.
58. The TMO will only come into force once the council has published the notice of making, referred to in paragraph 44 above confirming the order has been made.
59. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

60. There are no procurement implications in relation to this report.

Assistant Chief Executive, Governance and Assurance (AGG 28/08/24)

61. The Cabinet Member is asked to approve the implementation of 160 e-bike and e-scooter dedicated parking bays at the locations listed at Table 1 and Table 2. Officers recommend that such proposals are introduced by way of permanent TMOs as set out at paragraph 1(b) of this report. These recommendations fall within the powers of the individual Cabinet Member for determination in accordance with paragraphs 22, Part 3D of the council's constitution.
62. The background to the proposals 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 and Consultation sections above.
63. 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 42 to 44. Officers have carried out the exercise of balancing this duty with the various matters listed under section 122(2) and have recommended that the e-scooter and e-bike parking bays should be implemented by way of TMOs.

64. Officers have considered the council’s PSED under section 149 of the 2010 Act at paragraphs 26 to 31 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.
65. 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.
66. 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 33 to 35 above.

Strategic Director of Resources (ENG24/(061))

67. The Strategic Director of Resources notes the request to the Cabinet Member for Clean Air, Streets and Waste to approve the recommendations in paragraph 1(a–c) of this report for the implementation of 160 parking bays for e-scooters and e-bikes at the locations detailed in Table 1, implemented by way of orders made under the Road Traffic Regulation Act (“1984 Act”), subject to the outcome of any necessary statutory consultation and procedures.
68. The report also requests the Cabinet Member to note that in the event of objections to the proposed permanent TMOs are received following statutory consultation, a further report will be presented to the Cabinet Member for determination whether to proceed with the making of the TMO.
69. The SDF also notes the financial implications and that there are no significant additional costs anticipated as most of the sites were established during the trials to implement parking stations for e-scooters and e-bikes under the Experimental Traffic Management Order (ETMO). Any additional costs arising to implement the remaining bays will be contained within the existing network management service revenue budget.
70. Staffing and any other costs associated with the recommendations in this report will be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Streets for People Streets for People Strategy	Southwark Council Environment, Neighbourhoods and Growth	John Wade

https://www.southwark.gov.uk/tran sport-and-roads/streets-for-people	Highways 160 Tooley Street London SE1 2QH	
IDM Pan London e-scooter trial and Southwark e-bike trial Decision - Pan London E-scooter Trial and Southwark E-bike Trial - Southwark Council	Southwark Council Environment and Leisure Highways Network Development 160 Tooley Street London SE1 2QH	John Wade, 0207 525 0141

APPENDICES

No.	Title
N/A	N/A

AUDIT TRAIL

Lead Officer	Matt Clubb – Director of Environment	
Report Author	John Wade – Head of Parking Services and Network Management	
Version	Final	
Dated	August 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 Resources	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	24 September 2024	