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| Item No. 13. | Classification: Open | Date: 26 April 2012 | Meeting Name: Bermondsey Community Council |
| Report title: | | Determination of statutory objection to proposed formalisation of existing width restriction in Lynton Road. | |
| Ward(s) or groups affected: | | All wards within Bermondsey Community Council | |
| From: | | Head of Public Realm | |

RECOMMENDATIONS

1. That the community council consider the one objection received in regard to the proposed formalisation of an existing width restriction in Lynton Road
2. That the community council reject the objection and instructs officers to make the Order for the existing width restriction.
3. That the community council instruct officers to write to the objector giving reason for the decision.

BACKGROUND INFORMATION

4. Lynton Road has an existing physical measure that prohibits and prevents all vehicles over 2.2 metres in width from proceeding in a stretch of the street approximately between 191/193 and 197/199 Lynton Road.
5. This prohibition was implemented in 2004 under experimental traffic order procedures. The experimental order has now lapsed and, as such, is unenforceable by the council (under decriminalised moving traffic offences) though the physical measure continues to prevent vehicles from proceeding
6. Following legal advice on the matter the Council re-advertised the restriction so as to put in place a new, permanent order. The Council gave notice of its intent to make a new order on 2 June 2011, under section 6 of the Road Traffic Regulation Act, 1984. Statutory consultation was carried out for a period of three weeks via street and press notices; a copy of the proposed orders was also sent to statutory consultees.
7. This report presents details of the one objection that was received during the statutory consultation period.
8. Determination of such matters is reserved to community council for decision.
9. The origins and reasons for the recommendations are discussed in the main body of the report.
10. This item returns a matter that was reported to the community council on 13 September 2011 and 10 November 2011 but to which a decision was deferred.

KEY ISSUES FOR CONSIDERATION

Objection

11. The proposed TMO was made by way of street and press notices in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
12. During the statutory, three week consultation period one written objection was received on 7 June 2011. The detail of the objection is provided in Appendix 1.
13. The objection states *"As a resident of Grange Road I am of a mind that this width restriction has contributed to higher traffic flows outside my home, and no evaluation has been made of this. There has been no request to make the traffic order permanent, it should therefore be removed, and the all stakeholders, including those who may be negatively affected, be given the opportunity to make a structured evaluation of the scheme."*

Reasons for report recommendations

14. The existing width restriction was installed in 2004 following agreement by the council that measures should be introduced to improve road safety and to address concerns about rat-running.
15. Whilst it is unfortunate that the procedural steps were not taken at the correct time to make permanent the experimental order (prior to it lapsing) this is not considered of consequence in terms of ensuring that restrictions have a correct legal order.
16. There appears to be a continued need for the width restriction to prevent large vehicles passing through local streets. The continuation of this restriction is also complementary to the existing area-wide weight limit in this area as well as being integral to proposals currently being drawn up for the South Bermondsey Traffic Management study.
17. In view of the above, it is recommended that the objection is rejected and the order is made.

POLICY IMPLICATIONS

18. The recommendations contained within this report are consistent with the policies of the Transport Plan.

COMMUNITY IMPACT STATEMENT

19. The policies within the Local Implementation Plan are upheld within this report have been subject to an Equality Impact Assessment (EqIA).

RESOURCE IMPLICATIONS

20. All costs arising from implementing the proposals, as set out in the report, will be fully contained within the existing local parking amendment budget.

CONSULTATION

21. The statutory consultation carried out to date is detailed within the body of the report.
22. Formal notification of the council's intent to make a Traffic Management Order has been made in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996
23. No consultation or comment has been sought from the chief finance officer.

BACKGROUND DOCUMENTS

| Back ground Papers | Held At | Contact |
|------------------------------|---|-----------------------------|
| Parking and Enforcement Plan | Public Realm Environment and Leisure Department | Tim Walker 020 7525 2021 |

APPENDICES

| No. | Title |
|------------|-----------|
| Appendix 1 | Objection |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Lead Officer | Matt Hill, Public Realm Programme Manager | |
| Report Author | Tim Walker, Senior Engineer | |
| Version | Final | |
| Dated | 13 March 2012 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director for Legal and Democratic Services | Yes | No |
| Finance Director | No | No |
| Cabinet Member | No | No |
| Date final report sent to Constitutional Team | 13 March 2012 | |