

Item No. 9.	Classification: Open	Date: 19 November 2013	Meeting Name: Cabinet
Report title:		Responding to Deputation by Oswin Street Residents	
Ward(s) or groups affected:		Cathedrals ward	
Cabinet Member:		Councillor Fiona Colley, Regeneration and Corporate Strategy	

FOREWORD - COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR REGENERATION AND CORPORATE STRATEGY

Since the deputation of Oswin Street residents came to cabinet last month I've walked around the area, reviewed the construction management plans and route alternatives and discussed construction traffic with both council officers and Lend Lease.

It is clearly a difficult location with One The Elephant and the leisure centre site lying between the busy A3 and its complex traffic junctions on one side and cycle superhighway 7 on the other.

On my visit I saw the mud on Oswin Street and, having lived surrounded by building sites myself, I can well understand the disruption this must be causing. However, I also saw the huge numbers of cyclists using other local streets - traffic counts show that Churchyard Row is used by almost 5000 per week and Dante Road by nearly 3000.

With this in mind and having reviewed the options appraisals I have come to the conclusion that there is not a feasible, safe alternative that avoids Oswin Street.

The situation should however be improving. Initially construction traffic was travelling both in and out of the sites along Oswin Street, in recent months a site entrance has opened on Newington Butts and construction traffic is now only using Oswin Street to exit from the sites, effectively halving the number of lorry journeys that could have been travelling along the street. Furthermore I am informed that within the past week Lend Lease has completed the main basement dig on their site (which involved peak truck movements taking mud off site) and that construction traffic should not reach such levels moving forward.

I have also made enquiries about the likely traffic routes for the future construction on the London Park Hotel site and I do not believe that Oswin Street should be used for construction traffic for this site.

RECOMMENDATIONS

That Cabinet

1. Notes the report and in particular the option appraisal undertaken in relation to the construction vehicle route prior to formal approval by planning and highway authorities.

2. Endorses the residents' request that no construction vehicles travelling to or from the former London Park Hotel construction site travel along Oswin Street.
3. Request further monitoring and enforcement of any breaches of the approved construction management plan by either Balfour Beatty or Lend Lease.

BACKGROUND INFORMATION

4. In October 2013 the Oswin Street residents group submitted a deputation to Cabinet raising a variety of concerns about the primary use of Oswin St by construction vehicles exiting the 'One the Elephant' and Elephant and Castle leisure centre sites. When considered at the 22 October cabinet meeting it was agreed that issues raised were too extensive and that a further Cabinet report was required to respond accordingly.

KEY ISSUES FOR CONSIDERATION

5. The following seeks to respond to each point raised within the deputation.

Construction Route

- **A call for transparency and involvement of directly affected residents and businesses in the decision making process and that a formal procedural policy be put in place to ensure this takes place. This to include incorporation of immediate access/aggress streets to be within section 61 of planning approval process.**
6. In reviewing the decision making process the council believes that its contractors, Balfour Beatty, and Lend Lease have been transparent throughout the identification of a preferred vehicle route through extensive consultation, resident engagement and the statutory decision making processes. Understandably the decision to use Oswin Street for construction vehicles is not one that the residents will welcome however the outcome is not the result of a lack of options appraisal and transparency.
 7. The process for agreeing the vehicle route has been the same for Balfour Beatty and Lend Lease as it would be for any other developer or contractor. The proposed route for the leisure centre vehicles was set out in the draft Construction Management Plan (CMP) that was submitted as part of the leisure centre planning application, a process that neighboring residents are consulted on as part of the planning authorities statutory consultation. Pages 8 – 10 of the submitted Leisure Centre CMP (please refer to appendix one) and sections three and four (please refer to appendix two) of the submitted Lend Lease CMP clearly outlines the extensive options appraisal that was undertaken in arriving at the preferred logistics route.
 8. The agreed route is based on the council's principals set out in its Network Management Policy that seeks to minimise disruption on the road network. The plan that has been approved is considered by the highway authority to be the safest for all road users in that:
 - Minimises the number of conflict points between construction vehicles and cyclists / pedestrians.
 - Enables site access at a controlled junction

- Construction vehicles travel the shortest distance and past fewest residential properties when exiting the site.
- Does not cross the cycle super highway at non-signalised junctions

➤ **A call for an alternative route to be immediately considered**

9. For the reasons outlined clearly in the relevant sections of the Balfour Beatty and Lend Lease CMP (appendix one and two), the Highway Authority are of the opinion that there aren't any alternative routes that could be used without increasing risk to other road users despite all available options being considered before this decision was reached.
10. This examination is clearly demonstrated by Balfour Beatty voluntarily commissioning a photographic survey to identify the number of cyclists using the local road network in order to inform the route that would reduce risk to cyclists. The results, shown on the plan in appendix three, identified that significant number of cyclists travel along Dante Place (2799 per working week) and the cycle super highway along Churchyard Row (4738 per working week). In comparison only 548 cyclists were recorded travelling on Oswin Street and therefore it is clear that using Oswin St only minimises the risk of conflict between trucks and cyclists.
11. The survey did however confirm that the highest cyclist flows recorded were those cyclists travelling north along Newington Butts (6642 per week). The approved vehicle route (shown in green in appendix three) does create a potential conflict point between trucks and these cyclists however this risk is mitigated against as cyclists are controlled by a signalised junction and clearly visible to drivers.
12. In recent months, since the completion of the site entrance off of the A3, the council understand that no complaints have been lodged with either Balfour Beatty or Lend Lease's complaints number about construction vehicles and the council believes that construction traffic is being managed effectively with any exceptional loads being handled in the correct manner. Through regular attendance at the monthly liaison meetings attended by Balfour Beatty and Lend Lease, officers report that issues raised by local residents are responded to by Balfour Beatty and Lend Lease wherever possible.

➤ **A request for full correspondence that took place between officers and TFL, concerning the construction route access/egress and the Cycle Superhighway CS7 to be made available to the Oswin Street Residents Association**

13. The deputation received by residents of Oswin St is being treated as a formal Freedom of Information request and is to be treated in the correct procedural manner.

Council Tax Exemption

➤ **Where residents and businesses are impacted for greater than 6 months by construction the council should enter an agreement whereby the developers should pay the council tax for those impacted.**

14. The council cannot impose such a compensation regime on any developers and do not see this as a reasonable request given that both Balfour Beatty and Lend

Lease are currently managing the traffic to the best of their abilities, with no reported complaints and adhering to the requirements of both Transport for London and the council's highways team.

Parking Issues

- **A review of the parking arrangements and restrictions, through consultation with Oswin Street residents, to ensure residents are not impacted by the opening of the new leisure centre or One The Elephant**
15. Given the highly accessible location of the leisure centre it is not anticipated that visitors will travel by car. The planning approach and scheme design has focused on promoting sustainable means of transport such as tube, bus, cycling and walking. Condition 22 of the planning approval requires the Council to submit a travel plan prior to the opening of the centre to clearly demonstrate how such means of travel will be promoted and that this would be monitored against over the first year.
 16. Furthermore new residents at the One the Elephant development will not be eligible for on-street car parking permits and this approach had proved successful with other major schemes within area of high accessibility to public transport.
 - **A guarantee that construction traffic for the London Park Hotel site will not be permitted to use Oswin Street.**
 17. The appointed contractors for the 360 Tower development have entered in to a dialogue with both Southwark Highways and TfL to identify the safest and most effective construction vehicle route to be used during their works following exactly the same method and approach as was used for the leisure centre and One the Elephant. There will be public engagement events scheduled prior to commencement of any works at which the approved route will be presented. At this stage there has been no request by the contractors to use Oswin St as a means of entrance or exit to their site.
 - **Oswin Street Improvements & Duty of Care - Promises have been made to resurface Oswin Street at the end of construction – dates and proposals need to be agreed.**
 18. Moneys have been allocated by both Lend Lease and Balfour Beatty to undertake the resurfacing of Oswin St on completion of the construction activities. In addition both contractors have exceeded their previous commitments within the approved CMP's in respects to minimising impact on Oswin St. Both contractors are required by their planning consent to undertake wheel washing within their site boundary however additional measures are in place including daily street cleaning of Oswin Street and making window and car cleaning available to those who justifiably request it.
 - **Utilisation of '106' monies to further improve Oswin Street particularly:**
 - **New pavements**
 - **Improvement to landscaping at rear of London College of Communications adjacent to Oswin Street**
 19. All public realm and open space contributions generated by the One the Elephant residential development have been ring fenced for improvements to

either the St. Mary's Churchyard or site specific landscaping improvements. Therefore there is no S106 money available for these developments to improve Oswin St. An application for Cleaner Greener Safer moneys could be made by the Oswin St residents for these proposed improvements and Council officers and Lend Lease have already offered to support residents in bringing forward these improvements at a meeting with Phillip Robinson (7 Oswin Street). This will be raised again at future coordination meetings.

➤ **Restrict heavy vehicles not accessing properties in the street to reduce damage, noise and pollution**

20. As discussed, the construction management plan has been approved by the council and currently in action and working effectively therefore the council does not see the reason for restricting vehicles accessing Oswin St especially given the London College of Communication servicing requirements.

➤ **Sampling & monitoring station for pollution to be installed in Oswin Street and data to be provided to Residents Association.**

21. The council has a London Air Quality Network (LAQN) monitoring station in St Mary's Churchyard which monitors a variety of atmospheric pollutants and is part of a London wide network. This information is publicly available through the website.

22. Balfour Beatty and Lend Lease will be monitoring noise and particulates on their boundaries at the junction with Brook Drive and Oswin Street as part of the environmental monitoring for the construction sites, with regard to measuring against national standards for noise and dust from construction. The results of all construction site monitoring is part of the planning process and will become a matter of public record as reports are received by the council. Therefore officers do not see the justification to install further air quality monitoring equipment on Oswin St as this location is already well served in this regard.

Policy implications

23. There are no policy implications resulting from this report.

Resource implications

24. There are no resource implications resulting from this report.

Community impact statement

25. The impacts on the community, alternative options and feasibility of those alternatives, have been addressed throughout the report in paragraphs 5-22.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Feasibility Study
Appendix 2	Infrastructure Works
Appendix 3	Monday to Friday cyclist count

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Regeneration and Corporate Strategy	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Matthew Rees, Senior Project Manager.	
Version	Final	
Dated	8 November 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	8 November 2013	