

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 24 April 2019	<b>Meeting Name:</b> Cabinet Member for Environment, Transport Management and Air Quality
<b>Report title:</b>		Non-strategic Traffic and Highway improvement projects (Morley Street one-way system)	
<b>Ward(s) or groups affected:</b>		St George's	
<b>From:</b>		Head of Highways	

## RECOMMENDATIONS

1. It is recommended that a non-strategic traffic and highway improvement scheme, specifically a one way operation system in Morley Street, is approved for implementation subject to there being no unresolved objections following statutory consultation and procedures.
2. To note that a further report will be brought should there be unresolved objections to the proposed improvement project (Morley Street one way system).

## BACKGROUND INFORMATION

3. In August 2018, councillors from St George's ward contacted Highways regarding through traffic issues raised by residents of Morley Street and the surrounding area.
4. Lambeth Council are in the process of implementing traffic changes in the area to ease traffic congestion issues at the junction of Westminster Bridge Road and Kennington Road.
5. Residents groups (Cooper Close Cooperative & Mayhem at Morley Street Committee) have raised issues of road rage and dangerous driving caused by traffic waiting to exit Morley Street onto A301 Waterloo Road.
6. Under Part 3D of the council's constitution, the cabinet member is responsible for:
 

Transport Issues:

  - deciding to implement a traffic and highway improvement project, subject to statutory consultation
  - determining statutory objections to a traffic and highway improvement project
7. The origins and reasons for the recommendations are discussed within the key issues section of this report and relevant appendices.

## **KEY ISSUES FOR CONSIDERATION**

8. Non-strategic traffic and highway improvement schemes, such as changes to parking restrictions and road layouts, are usually batched together to reduce advertising costs and resource implications. However the proposed one way systems on Morley Street are a one-off to coincide with the Lambeth proposals, which are complimentary as described in Appendix 1.
9. In line with the council's constitution, the proposal in this report has been shared with ward councillors. The proposals have not been referred to community council but have been shared with local resident groups.
10. The rationale for this proposal is discussed in Appendix 1 and contains a detailed design drawing.

## **Policy implications**

11. The recommendations contained within this report are consistent with the relevant policies of the Transport Plan 2011:
  - Policy 1.1 – pursue overall traffic reduction
  - Policy 4.2 – create place that people can enjoy
  - Policy 5.1 – Improve safety on our roads and to help make all modes of transport safer
  - Policy 5.6 - We will seek to create conditions where our roads are safe
  - Policy 6.1 – Make our streets more accessible for pedestrians
  - Policy 7.1 - Maintain and improve the existing road network making the best use of it through careful management and considered improvements
  - Policy 8.1 – seek to reduce overall levels of private motor vehicle traffic on our streets
  - Policy 8.2 - Promote the uptake of low emissions vehicles

## **Community impact statement**

12. The policies within the Transport Plan have been subject to an Equality Impact Assessment.
13. The proposals will have greatest effect upon those people living working or travelling in the vicinity of the areas where the proposals are made due to the potential increased journey times.
14. One way systems have the potential to increase average traffic speeds.
15. The current two way arrangements on Morley Street lead to severe congestion due to the relatively narrow carriageway width. This leads to vehicles often driving on the footways potentially creating a significant hazard for pedestrians. The proposed one way systems will lead to safer footways.
16. The proposals are not considered to have a disproportionate effect on any other community or group.
17. The recommendations support the council's equalities and human rights policies and promote social inclusion by:

- Providing improved access for key services such as emergency and refuse vehicles.
- Improving road safety, in particular for vulnerable road users, on the public highway.

### **Resource implications**

18. All costs arising from implementing the proposals will be fully contained within the existing Highways budgets.
19. The cost of the improvements is estimated to be circa £5,000.

### **Legal implications**

20. As noted in the Appendix 1, the implementation of the proposals will require a Traffic Management Order which would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.
21. Should the proposals be approved the council will give notice of its intention to make a traffic order in accordance with the Local Authorities Traffic Order (Procedure) (England and Wales Regulations 1996).
22. These regulations also require the council to consider any representations received as a result of publishing the draft order for a period of 21 days following publication of the draft order. Further detail about the council's procedures are included in the section on 'Consultation' in this report.
23. Should any objections be received they must be properly considered in light of administrative law principles, Human Rights law and relevant statutory powers and as noted in paragraph 3 above, the cabinet member has authority to determine statutory objections and a further report will be brought should any unresolved objections be received following publication of the draft order(s).
24. By virtue of section 122, the council must exercise its powers under the RTRA 1984 so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and provision of suitable and adequate parking facilities on and off the highway.
25. These powers must be exercised so far as practicable having regard to the following matters
  - 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) Facilitating the passage of public service vehicles and securing the safety and convenience of their passengers
  - e) Any other matters appearing to the council to be relevant.

### **Consultation**

26. Should the proposals be approved, the statutory procedures referred to in the previous section of this report will be implemented by the council as follows:

- a) publication of a proposal notice in a local newspaper (Southwark News)
  - b) publication of a proposal notice in the London Gazette
  - c) display of notices in roads affected by the orders
  - d) consultation with statutory authorities
  - e) making available for public inspection any associated documents (e.g. plans, draft orders, statement of reasons) via the council's website or by appointment at 160 Tooley Street, SE1
  - f) a 21 day consultation period during which time any person may comment upon or object to the proposed order
27. Following publication of the proposal notice, any person wanting to object must make their objection in writing, state the grounds on which it is made and send to the address specified on the notice.
28. Should an objection be made that officers are unable to resolve so that it is withdrawn, it will be reported to the cabinet member for determination. The cabinet member will then consider whether to modify the proposal, accede to or reject the objection. The council will subsequently notify all objectors of the final decision.

### **Programme timeline**

29. If the proposals are approved by the cabinet member they will be progressed in line with the below, approximate timeline:
- Statutory consultation – March/April 2019
  - Implementation – April/May 2019

### **Director of Law and Democracy**

30. The Cabinet Member for Environment, Transport Management and Air Quality is being asked to approve the implementation of the Non strategic Traffic and Highway Improvement project, namely the Morley Street one-way system, detailed in Appendix 1 of this report. The proposals for the one way system have not been referred to the relevant community council.
31. Implementation of the proposals will require one or more traffic management orders as explained in the sections of the report on Legal Implications and Consultation. Should there be any unresolved objections to the proposals following the statutory consultation then a further report will be submitted. The Cabinet Member has the authority, pursuant to part 3D of the Council's Constitution, to determine statutory objections to the proposals
32. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the Council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) foster good relations between people who share a protected characteristic and those who do not. The report notes that the policies within the Transport Plan, which support initiatives such as the proposals which

are the subject of this report, have been subject to an Equality Impact Assessment.

33. The Human Rights Act 1998 imposed 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 most important rights for planning and highways purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). The implementation of a one way traffic system is not anticipated to breach the provisions of the Human Rights Act 1998.

#### **Strategic Director of Finance and Governance**

34. This report requests approval from the Cabinet Member for Environment, Transport Management and Air Quality for the proposed non-strategic traffic and highway improvement scheme to proceed to statutory consultation.
35. The strategic director of finance and governance notes that funding for the project is to be met from existing revenue budgets and capitalised revenue resources.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Transport Plan 2011	Southwark Council Environment and Leisure Network development Highways 160 Tooley Street London SE1 2QH  Online: <a href="http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011">http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011</a>	Alwyn Samuel 020 7525 2060

## APPENDICES

No.	Title
Appendix 1	Evidence base for proposal

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Highways	
<b>Report Author</b>	Tobias Allen, Technician - Highways	
<b>Version</b>	Final	
<b>Dated</b>	April 2019	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>	24 April 2019	