

Item No.	Classification: Open	Date: 21 August 2020	Meeting Name: Cabinet Member for Environment, Transport and the Climate Emergency
Report title:		Covid-19 – Post lockdown highway schemes Batch 3	
Ward(s) or groups affected:		Various (detailed in Table 1)	
From:		Head of Highways	

RECOMMENDATION

1. It is recommended that the traffic and highway improvements, detailed in the Appendices to this report and summarised in Table 1, are approved for implementation subject to the completion of any necessary procedures.

BACKGROUND INFORMATION

2. Under Part 3D of the council's constitution, the Cabinet Member is responsible for:
 - 4.1 Transport Issues:
 - To decide to implement a traffic and highway improvement project, subject to statutory consultation
3. Under Part 3H, the relevant ward councillors shall:
 - be consulted on any traffic and highways improvement
4. This report informs the Cabinet Member of the initial measures proposed to fast track the borough in moving into the post-lockdown period. These measures are required to help lift the lockdown whilst protecting people by social distancing and to maintain the current modal change that has minimised driving, improved air quality and increased Active Travel.
5. This report deals with a number of traffic and highway improvement proposals. A number of the proposals have already been widely consulted as part of larger schemes across the Borough, such as Our Healthy Streets Dulwich and Walworth Road Low Emission Neighbourhood.
6. The origins and reasons for the recommendations, and the links where appropriate to post lockdown benefits, are discussed within the key issues section of this report and the relevant Appendices.

KEY ISSUES FOR CONSIDERATION

7. The Covid-19 pandemic required the government to introduce changes to society that have fundamentally altered people's travel patterns, modes, ways of living and working and how they use Southwark's streets and spaces. There is an immediate need to enable physical distancing of two metres and to help the public following the lifting of restrictions using the measures here.

8. The lockdown has created profound changes in people's travel patterns and modes that have delivered a wide range of transport, health, environmental and climate change benefits in accordance with many of the council's policies. There have been significant benefits to air and noise pollution, as well as reducing carbon emissions, all of which have positive health benefits but also have benefits to the broader environment.
9. The government has begun to ease restrictions, and in doing so, the council should seek to maintain as many of the benefits as possible, whilst helping the borough to recover. Put simply driving and associated air pollution have been considerably reduced but may return to higher levels than before the lockdown as people are concerned about using public transport. Therefore there is an urgent need to maintain lower levels of driving and to quickly improve walking and cycling.
10. It is important to note that Covid-19 is a respiratory infection that appears to be exacerbated by air pollution according to early analysis. Covid-19 also has a greater infection and fatality rate amongst many vulnerable groups (including those with respiratory and cardio-vascular conditions, the elderly, BAME people, those on low incomes and men). Given the demographic makeup of Southwark, large parts of our population are likely to be affected worse than the population as a whole. Any measure that reduces air pollution will have a particular benefit to these vulnerable groups.
11. The return to daily life is being staggered for different groups over several weeks and possibly months. With people returning to work, they are likely to work more flexibly and so stagger their hours, which will extend commuting times. People are being required to socially distance for a considerable period of time to reduce the risk of subsequent waves of Covid-19 infections that would cause greater disruption to schools, shops and businesses as they may close for a second time.
12. To help people return to work there are two main reasons why Southwark needs to fast track various transport measures to increase walking and cycling and keep driving low. Firstly, the return to work process will involve the phased opening of different schools, shops, businesses and leisure facilities. The growing number of premises that are reopened is likely to require a steady increase in space for pedestrians so they can queue and pass each other on pavements and in certain places in roads. Secondly, during the first year up to 40% less people are likely to use public transport to return to work in London because of concerns about social distancing and contact. This will encourage many people to drive, possibly to higher levels than before the lockdown and so result in greater problems of congestion, pollution and deterrence of Active Travel.
13. In line with the council's constitution, all of the individual proposals in this report have been circulated to ward councillors to allow them to make comments on the proposals before they go for decision making.
14. The rationale for each proposal is discussed in the associated Appendix and contains a detailed design drawing.

Location	Ward(s)	Proposal	Funding	Perm or Exp	Appendix
Townley Road	Dulwich Village	Introduce a timed bus and cycle gate with a northbound restriction.	LSP	Exp	1
Dulwich Village	Dulwich Village	Introduce a timed bus and cycle gate with a northbound restriction and double yellow lines.	LSP	Exp	2
Burbage Road	Dulwich Village	Introduce a timed bus and cycle gate with a northbound restriction.	LSP	Exp	3
Turney Road	Dulwich Village	Introduce a permanent bus and cycle gate with East and Westbound restrictions.	LSP	Exp	4
Court Lane	Dulwich Village	Introduce a disabled bay on Court Lane.	LSP	Exp	5
Gilkes Crescent	Dulwich Village	Introduce a disabled bay on Gilkes Crescent.	LSP	Exp	6
Merrow Street	Faraday	Re-locate permeable modal filter.	S106	Exp	7
Lytham Street	Faraday	Introduce a one-way system southbound.	S106	Exp	8
Sondes Street	Faraday	Reverse the one-way system from Westbound to Eastbound.	S106	Exp	9
Phelp Street	Faraday	Introduce a permeable modal filter and one-way system.	S106	Exp	10
Browning Street	North Walworth	Introduce a loading bay.	S106	Exp	11
The Cut	Borough & Bankside	Introduce no motor vehicles restriction	Lambeth	Exp	12

TABLE 1

Funding key

S106 – Section 106 funding

LSP – London Streetspace Programme

Lambeth – Scheme to be funded and implemented by Lambeth Council

Policy implications

15. The recommendations contained within this report are consistent with the relevant policies of the Movement Plan 2019, particularly:
- M2 Action 1 – Reduce noise pollution
 - M2 Action 2 – Create simple and clear streets
 - M3 Action 4 – Deliver infrastructure to support active travel
 - M3 Action 5 - Enable people to get active
 - M4 Action 8 – Use kerbside efficiently and promote less polluting vehicles
 - M4 Action 9 – Manage traffic to reduce the demand on our streets
 - M7 Action 15 - Reduce exposure to air pollution
 - M7 Action 16 – Zero people killed or injured on our streets by 2041
16. The recommendations contained in the report and the individual proposed schemes will all contribute and complement the proposed Borough Street space Policy presented to Cabinet in July 2020.

Community impact statement

17. The policies within the Movement Plan have been subject to an Equality Impact Assessment.
18. The recommendations 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.
19. The proposals have no disproportionate impact on any particular age, disability, faith or religion and ethnicity and sexual orientation.
20. 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

21. Costs arising from implementing the recommendations will be contained within the existing business unit capital and revenue Highways budgets, as well as external funding sources, as detailed in Table 2.
22. The estimated costs, by funding stream, for the schemes detailed in Table 1 are given in the below Table 2.

Funding Stream	Cost
Section 106	£35,000
London Streetspace Programme	£80,000

TABLE 2

Legal implications (Experimental TMO)

23. An Experimental Traffic Management Order would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984 as amended.
24. Section 22 of the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 states the requirements in the case of an experimental order.
25. The proposals detailed in Table 1 as experimental are trials and the orders are to be experimental, as such consultation and feedback will be considered during the period of the order and a decision made on whether the order is to be made permanent, amended or rescinded after a period, normally six to twelve months. The maximum time an experimental order can be in place is eighteen months.
26. The Regulations require the publication of a Notice of Making of the Experimental Order which may not come into force before seven days of its publication date. There is no right of objection to an experimental order itself but the notice provides for any objections or representations to the Experimental Order being made permanent, to be made in writing stating the grounds of such objections, within six months of the Experimental Order coming into force. Should any such objections be received, they will be properly considered in light of administrative law principles of fairness and impartiality, the Human Rights Act 1998, the Equality Act 2010 and all relevant statutory powers. All objections on the individual experimental orders becoming permanent will be logged and considered as part of the process detailed in paragraph 25.

Programme timeline

27. Should these items be approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:
 - Notice of proposal (ETMO) – Summer 2020
 - Implementation – Autumn 2020
 - These schemes will be implemented as soon as possible following final approval of this report, subject to availability of contractor's resources.

Strategic Director of Finance and Governance

28. This report requests approval from the Cabinet Member for Environment, Transport and the Climate Emergency to implement a number of traffic and highway schemes as summarised in Table 1, paragraph 14 of this report, to fast track the borough in moving into the post Covid-19 lockdown phase, to aid social distancing and to maintain some benefits gained due to reductions in motor vehicle usage during the lockdown period.
29. The strategic director of finance and governance notes that funding for these recommendations is to be met from Environment and Leisure departmental capital and revenue budgets and targeted TfL funding as summarised in paragraph 22, and that there are sufficient resources available to fund this implementation.

30. Staffing and other costs connected with this recommendation to be contained with existing departmental revenue budgets.

Director of Law and Democracy

31. The Cabinet Member for Environment, Transport and the Climate Emergency is asked to approve the implementation of the traffic and highway improvements in the locations detailed in the respective Appendices and summarised in Table 1 for the reasons given under the Key Issues for Consideration heading in the report, subject to the statutory requirements for the making of Experimental Traffic Orders.
32. All the proposed traffic and highway schemes summarised in Table 1 are experimental schemes which require Experimental traffic orders to be made. Paragraphs 23-26 of the report set out the powers under the Road Traffic Regulation Act 1984 (as amended) and statutory process with regard to experimental traffic orders which are required to implement these traffic and highway improvements.
33. The Equality Act 2010 introduced the public sector equality duty, (PSED) 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:
 1. have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and
 2. foster good relations between people who share a protected characteristic and those who do not.
34. The officer's view is that the implementation of the proposals has no disproportionate impact on any particular age, disability, faith or religion and ethnicity and sexual orientation. It is not known if there would be any detrimental impacts on any other persons who have protected characteristics p under this Act. The PSED duty must be exercised by the decision maker and the Member needs to form this conclusion.
35. The Human Rights Act 1998 imposed a duty on all public authorities to apply the European Convention on Human Rights; as a result the Council as a public authority must not act in a way which is incompatible with these rights. The most important rights for highway and planning 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 these traffic and highway proposals is not anticipated to engage or breach the provisions of the Human Rights Act 1998.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Movement Plan 2019	Southwark Council Environment and Leisure Network development Highways 160 Tooley Street London SE1 2QH Online: http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809	Tobias Allen 020 7525 3197

APPENDICES

No.	Title
Appendices 1-12	Evidence base for each proposal

AUDIT TRAIL

Lead Officer	Dale Foden, Head of Service Highways	
Report Author	Tobias Allen, Transport Projects Engineer	
Version	Final	
Dated	12 August 2020	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team	18 August 2020	