

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 30 September 2020	<b>Meeting Name:</b> Cabinet Member for Leisure, Environment and Roads
<b>Report title:</b>		Covid-19 – Post lockdown highway schemes Batch 4	
<b>Ward(s) or groups affected:</b>		Various (detailed in Table 1)	
<b>From:</b>		Head of Highways	

## RECOMMENDATIONS

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 outcome of any necessary statutory consultation and 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 at least one metre 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, Black and Minority Ethnic groups, 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. When people return to work they are likely to work more flexibly and so stagger their hours, which will extend commuting times. People will also be 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
Peckham Rye	Rye Lane	Bus gate between Nunhead Crescent and Nunhead Lane	LSP	Exp	1
Bermondsey Street	London Bridge and West Bermondsey	Modal filter, between Morocco Street and Whites Grounds and cycling improvements	LSP	Exp	2
Great Suffolk Street	Bankside	One-way only on Great Suffolk Street, Lavington Street, Union Street, Surrey Row, Webber Street, Sawyer Street, Great Guildford Street.  Banned turns out of Great Suffolk Street, Southwark Street, Copperfield street, Loman Street, Farnham Street, Great Guildford Street, Copperfield Street, Bear Lane, Sumner Street and Surrey Row	LSP	Exp	3
Burbage Road	Dulwich Village	Buses, cycles and taxis only north bound on Burbage Road from the junction of Gallery Road to	Capital	Exp	4
Lower Road	Rotherhithe	Cycleway 4 installation in temporary materials on Lower Road	LSP	Exp	5

**TABLE 1**

**Funding key**

LSP – London Streetspace Programme

Capital – Cabinet member to allocate capital funding

**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 all contribute and complement the Borough Streetspace 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. All costs arising from implementing the recommendations will be fully contained within the existing business unit capital and revenue Highways budgets.
22. The estimated costs, by funding stream, for the schemes detailed in Table 1 are given in the below Table 2.

<b>Funding Stream</b>	<b>Cost</b>
Capital budget	£27,000
Cycle Superhighway 4 (LSP H2)	£500,000
London Streetspace Programme	£157,500

### **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. If these items are approved by the Cabinet Member they will be progressed in line with the below, approximate timeline:
  - Notice of proposal (ETMO) – October 2020
  - Implementation – October/November 2020
  - These schemes will be implemented as soon as possible following final approval of this report, subject to availability of funding and contractor's resources.

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

28. This report requests approval from the Cabinet Member for Leisure, Environment and Roads to implement a number of traffic and highway schemes as summarised in Table 1 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 budgets and targeted TfL funding as summarised in Table 2, 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 within existing departmental revenue budgets.

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

31. The Cabinet Member for Leisure, Environment and Roads is asked to approve, subject to the outcome of statutory consultation, the implementation of traffic and highway schemes in the locations detailed in the respective appendices and summarised in Table 1.

32. The proposed traffic and highway schemes summarised in Table 1 are experimental schemes which require Experimental traffic orders to be made
33. Any valid written objections received following statutory consultation in respect of the proposed traffic management orders required to implement the traffic and highway improvements must be considered in accordance with legal principles and statutory powers. The report confirms that if any such objections received regarding the proposals are unable to be resolved and withdrawn, they will be reported to the Cabinet Member for Leisure, Environment and Roads to make a decision on the proposals.
34. 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 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 any detrimental impacts on other particular protected groups under the 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 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 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 the 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: <a href="http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809">http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6809</a>	Tobias Allen (020 7525 3197)

## APPENDICES

No.	Title
Appendices 1-5	Evidence base for each proposal

## AUDIT TRAIL

<b>Lead Officer</b>	Dale Foden, Head of Highways	
<b>Report Author</b>	Richard Wells, Group Manager (Transport Projects)	
<b>Version</b>	Final	
<b>Dated</b>	September 2020	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
	<b>Officer Title</b>	<b>Comments Sought</b>
	Director of Law and Democracy	Yes
	Strategic Director of Finance and Governance	Yes
	<b>Cabinet Member</b>	Yes
	<b>Date final report sent to Constitutional Team</b>	28 September 2020