

CABINET MEMBER DELEGATED DECISION REPORT 06 APRIL 2021

Report title: Myatts Field North Phase 3A & 3B Better Streets

Wards: Vassall

Portfolio: Cllr Claire Holland, Deputy Leader of the Council, Sustainable Transport, Environment and Clean Air

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REPORT SUMMARY

Myatts Field North is situated to the north of Brixton and was developed as a major regeneration project as part of a Private Finance Initiative (PFI) in 2012. The delivery was staged over 3 phases with the first 2 phases of new build housing benefitting from the creation of new roads, footways and streetlighting. These works were delivered by the PFI contractor, Regenter. The third PFI phase refurbished existing residential properties, with the upgrade of the roads and public realm to be undertaken by the Council's Highways Department following the roads dedication from Housing to Highways, at the end of 2018.

This report seeks additional funding and authorisation to deliver the highway, public realm, street lighting and traffic control improvements on Cromwell Road, Navarre Road, Winterslow Road and Fairbairn Green collectively referred to as Phase 3A, and Elliott Road Phase 3B. The additional funding will formalise these roads up to the Council's Highway Department standards, in keeping with the existing surrounding Phase 1 and Phase 2 roads.

On 20 July 2020 the Cabinet approved the 5-year Capital Investment Programme (CIP) which includes an approved allocation of £24.378m for the Highways Improvement Programme (HIP) and this report requests £567,595 from this budget for delivery in 2021/22.

In addition, authorisation is sought to incorporate the roads into the Vassall (Zone V) Controlled Parking Zone (CPZ) subject to satisfactory consultation. To support effective traffic management, it also proposed to formalise the one-way traffic operation of Navarre Road and Winterslow, introduce waiting and loading restrictions on all the roads, include a vertical traffic calming on Cromwell Road and a raised table on Elliott Road.

FINANCE SUMMARY

The initial capital project budget allocation for this scheme was £517,995 of which £412,659 was available at the start of 2020/21. The additional investment of £567,595 required to deliver the remainder of the scheme will be met from the approved 5-year Capital Investment Programme (CIP) subject to the Council's investment decisions.

RECOMMENDATIONS

1. To grant scheme approval to upgrade the Myatts Field North Phase 3A & 3B roads to the Council's acceptable Highways department standard at a total project cost of £1,085,590. The shortfall of £567,595 to be met from the 5-year Capital Investment Programme.
2. To approve the inclusion of Cromwell Road (east of Lennox Road), Navarre Road, Winterslow Road, Fairbairn Green and Elliott Road to the Vassall (Zone V) CPZ, including waiting and loading restrictions, subject to a satisfactory consultation.
3. To approve the formalisation of the one-way traffic system currently operating on Navarre Road and Winterslow Road and introduce vertical traffic calming on Elliott Road.
4. That, subject to the above approvals, to agree to these schemes' implementation under section 90 of the Highways Act 1980 subject to no material objections resulting from the statutory consultation process, but that any objections that are received are considered by the Assistant Director Infrastructure, Environment, Public Realm & Climate Change Delivery before a decision on the respective measure(s) or whether or not to hold a public inquiry is reached.

1. CONTEXT

- 1.1. The Council has set out its policies and strategies for the coming 20 years in its [Lambeth Transport Strategy](#) (LTS). The specific strategic outcomes relating to the measures recommended in this report are: inclusive and accessible, efficient and connected road network. Under the theme Making Lambeth 'a place where people want to live, work and invest,' there is a commitment to improving neighbourhoods and enabling people to live healthier lives.
- 1.2. The Council's PFI Housing led regeneration of the former Myatts Field North Estate in 2012 to 2017, involved the creation of new houses and roads that were delivered by the PFI contractor Regenter and sub-contractors Higgins Construction, Rydon maintenance, Pinnacle PSG and E.ON, to a bespoke approved highways standard and materials palette (Phase 1 & 2 roads). The residential properties on five of the roads within the former estate were refurbished rather than newly built, and it was agreed that the Council's Highways department would lead on the upgrade of these roads. These remaining roads are collectively known as Phase 3.
- 1.3. All three phases of roads were dedicated from the Council's Housing department to the Council's Highways department for maintenance, which was approved through an Officer Delegated Decision Report on 31 December 2018. An allocation made from the PFI Housing of £517,995 to bring these roads up to the Council's Highways department standard and to match the surrounding new build roads and to upgrade the street lighting.
- 1.4. The Phase 3 roads have outdated traffic calming features and parking measures with no supporting Traffic Management Orders (TMOs) in place, in other words uncontrolled parking. This is subject to abuse by commuters who are known to park their vehicles in these roads and use the Oval tube station. The lack of controls raises anti-social parking disputes between residents.
- 1.5. Elliott Road south of Cancell Road, originally formed part of the Phase 3 roads. However, the degree of engagement required on this road regarding proposed tree replacement has led to it being progressed separately to avoid delays to the overall programme. Hence the delivery is subdivided into Phase 3A and Phase 3B. The roads to be upgraded and the subject of this report are:

Phase 3A

- Cromwell Road east of Henry Road
- Navarre Road
- Winterslow Road
- Fairbairn Green

Phase 3B

- Elliott Road

2. PROPOSAL AND REASONS

- 2.1 It is proposed to upgrade the Phase 3A & 3B roads in terms of carriageway re-construction, drainage provision, traffic calming, green asset and street lighting. This will ensure the recently dedicated roads comply with the Council's Highway Department standards whilst matching the re-developed surrounding housing area carriageway and streetscape materials palette. The first objective is to ensure efficiency in the future maintenance of these roads, as patching and resurfacing will have short lifespans. Aesthetically, use of the same material palette will promote

social inclusion and reduce feelings of segregation between different parts of the former estate, driving the objective of a holistic quality of public realm in Lambeth.

- 2.2 Further to the matters set out in this report and having regard to the considerations listed in 4.3 (a) to (e) below, officers consider that the proposed scheme will enable the Council to meet its duty under section 122 of the RTRA 1986 to secure the expeditious, convenient and safe movement of vehicular and other traffic, including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway, and support a transport network in Lambeth that is accessible to all.

Phase 3A Highway Improvements

Appendix A Drawing No: 60581765-ACM-ZZ-ZZ-DR-HW-000101-103

- 2.3 The proposed kerb realignment throughout the site facilitates improved pedestrian connectivity and movement. A clear parking layout will address one of the key concerns for residents; refuse vehicles being able to collect waste in the side streets. The new waiting and loading restrictions and the formalisation of the one-way traffic system on Navarre Road and Winterslow Road will enable the streets to be properly managed by the Council's Parking and Enforcement teams.
- 2.4 On Cromwell Road the carriageway will be reconstructed and localised widening of the northern footpath will improve the pedestrian experience. A build-out outside the pharmacy is proposed, providing pedestrians a formal crossing point to the shops, which will also slow traffic on the Cromwell Road. Traffic calming in the form of build-outs and 20mph roundels are also provided to further support speed reduction, a concern regularly raised by the residents and stakeholders.
- 2.5 Provision of a new cycle hanger on the southern footway with Cromwell Road at the junction with Patmos Road addresses residents' feedback regarding a need for more facilities for cyclists and is positioned conveniently near the doctor's surgery/ medical centre on Patmos Road and opposite the local SPAR shop.
- 2.6 It is proposed to formalise 19 parking bays on Cromwell Road and provide a disabled user bay outside the Passport to Employability centre, to facilitate accessibility to this service for disabled users.
- 2.7 On Winterslow Road, Navarre Road and Fairbairn Green, full resurfacing will take place with the carriageway becoming a vehicle and non-motorised user shared space style layout, via a combination of block paving and asphalt areas. Pedestrian crossing points in the form of dropped kerbs across the junction mouth with Fitzpatrick Road will assist disabled users across the junction. The effect will be to reduce the feel of car dominance, effectively using the available space and encouraging walking and cycling with a Healthy Streets approach.
- 2.8 At the southern end of Winterslow Road the eastern kerb line is realigned to facilitate larger vehicle manoeuvres, evident by the vehicle wheel overrun into the existing flower bed areas.
- 2.9 The parking bays between 12 and 14 Winterslow Road will be formalised. A new area for 2 parking bays is also created opposite no.12 Winterslow Road. 3 parking bays have been provided at the southern end of Navarre Road which formalises current driver behaviour. A further 2 bays are formalised between no's 11 and 13 Navarre Road.
- 2.10 On Fairbairn Green the carriageway construction will be changed from the current asphalt provision to shared space block paving, as it is not possible to safely provide a standard continuous footway linking Fairbairn Green to Navarre Road. The use of differing colour block paving will allow

delineation of a short section of footway to the surrounding roads. 11 parking spaces will be formalised on Fairbairn Green.

- 2.11 To support visually impaired users of the footways the application of tramline paving will be provided at the top and bottom of the existing steps between Fairbairn Green and Navarre Road and to the existing steps leading into the bottom of Winterslow Road and Navarre Road. A hand rail will also be installed on the wall at the bottom of Navarre Road to further assist pedestrians. At the U-bend into Navarre Road a small slope is created to support disabled users in wheelchairs from Akerman Road. The use of this route by cyclists is evident in the overrun of the flowerbed.

Phase 3B Highway Improvements (Elliott Road)

Appendix B Drawing No: Elliott Road Jan 20

- 2.12 The existing tree roots in Elliott Road are lifting and breaking up the carriageway and causing problems with drainage. Any carriageway solutions that are applied with these existing conditions will have a reduced lifespan and effectiveness. In addition, there is no dedicated footway for pedestrians, disabled users in particular have no adequately connected route to the surrounding neighbourhood.
- 2.13 A tree survey to BS5837:2012 was undertaken in 2018 during the design stage of this project, which presented findings that a high percentage of the trees are deemed to be of low quality, classified Category C (~10 year lifespan). At the time of writing, two trees have already been felled due to a fungal infection. A number of the trees have been damaged due to vehicle impact. There are no statutory designations protecting trees within the survey area.
- 2.14 By removing 10 of the existing trees the Council would be able to construct a new footway on the western side of Elliot Road and position 9 new trees in suitable locations. The new trees would be placed in special root barriers that will avoid the same carriageway damage repeating to a newly constructed carriageway. The tree survey is detailed in Appendix C and in summarised Table 2.1

	Existing Trees			Proposed New Trees
	Category C2	Category B2	Incurably Diseased	9
	8	2	-2 (Felled 2018)	
Net Impact	10			9
Total Loss	1			

- 2.15 An engagement exercise with residents on Elliott Road regarding the trees was undertaken, the outcome is discussed in 5.7
- 2.16 Car parking spaces are proposed on the eastern side of the carriageway with additional car parking spaces on the southern side of Elliot Road. This will include space for vehicles to turn at the end of the existing cul-de-sac arrangement, including ambulances to support the disabled residents who live in the properties at the end of the road.
- 2.17 Vertical traffic calming in form of a raised table is proposed at the southern end of the road to assist pedestrian movements between the residential streets. Double yellow lines “No Waiting at Any Time” would also be implemented throughout Elliott Road. The double yellow lines will remove vehicle obstructing pedestrian movements and facilitate vehicle movements in Elliott Road.

Street Lighting Upgrade Works

Appendix D Drawing No: 0474-DFL-1300 - Road 1; 0474-DFL-1300 - Road 2

- 2.18 The street lights in all the Phase 3 roads will be upgraded to LED lights and new columns will be provided and added to the Street Lighting PFI contract for maintenance. This will create efficiencies in terms of electrical power consumption and light pollution.

Controlled Parking Zone (CPZ)

Appendix E Drawing No: DES-CPZ-N-2003-002 - Vassall CPZ extension (Phase 3)

- 2.19 An informal consultation on proposals to introduce a controlled parking zone (CPZ) in the Vassall area, (including the privately maintained roads in Myatts Field North) was carried out in September/October 2016. All properties in the area were consulted with documents explaining the proposals, describing the reasons for the consultation, how a CPZ works and how to participate in the consultation. A frequently-asked-questions document was also provided to answer common CPZ-related questions as was Lambeth's Permit Pricing Structure. All roads within Vassall ward, whether publicly maintained, private or housing association were consulted, even though (because different legislation applies), it would not be possible to introduce controlling parking on private or housing roads until they were dedicated as public highway.
- 2.20 The CPZ design for publicly maintained and private/housing association maintained roads in Myatts Field North received outline scheme approval by way of a delegated decision by the Assistant Director of Environment in February 2017.
- 2.21 Statutory consultations took place for the publicly-maintained roads (Phase 1 & 2) in 2017 and 2019. The new CPZ, Vassall 'V' became operational on the Phase 1 roads in October 2017 and Phase 2 roads in May 2019, operating Monday to Friday, 8.30am to 6.30pm. The Phase 3 roads in Myatts Field North, maintained either privately or by a housing association remain free of parking controls.
- 2.22 Subject to statutory consultation, it is now proposed to incorporate the Phase 3A and 3B roads into the Vassall CPZ, (Zone V). It is proposed to introduce:

Road Name	New Formal Parking Spaces (No.)
Cromwell Road (East of Lennox Road)	20 1 Disabled Bay
Navarre Road	5
Winterslow Road	1
Fairbairn Green	11
Elliott Road	16

3. FINANCE

Expenditure

- 3.1 The cost of delivering the highways improvements in this report is estimated to be £1,085,590. A summary of the project spend to date and forecast costs is detailed below in Table 3.1. The funding for the proposal will be met by the Myatts Field North Better Streets capital project budget allocation for 2020/21 of which there is currently £412,659 available in total. Additional funding is sought from the 5 Year Capital Investment Programme 2021/22 as detailed in 3.2

TABLE 3.1 Forecast Project Cost (£)					
	2018/19	2019/20	2020/21	2021/22	Lifecycle Total
	(£)	(£)	(£)	(£)	(£)
Project Allocation	517,995	442,294	412,659	339,984	
Phase 3A					
Street Lighting Build Allocation				86,336	86,336
TMO/ Statutory Consultation			5,000	5,000	10,000
Preliminary Design & Technical Surveys Spend to date	48,679	9,057			57,736
CVU DD Fee			31,070		31,070
CVU Estimated Build Cost				505,679	505,679
Build Contingency @20%				101,136	101,136
Internal Staff Costs Spend to date	27,022	20,578			47,600
Internal Staff Costs			6,605	9,000	15,605
Phase 3A Sub-Total	75,701	29,635	42,675	707,151	855,162
Phase 3A Shortfall				367,167	
Phase 3B					
Elliott Road CVU DD Fee (PM Estimate)			25,000		25,000
Elliot Road Estimated Build Cost (PM Estimate)				136,046	136,046
Build Contingency @ 20%				27,209	27,209
Green Asset (Engineer's Estimate)				20,000	20,000
Internal Staff Costs				17,173	17,173
TMO/ Statutory Consultation			5,000		5,000
Phase 3B Sub-Total			30,000	200,428	230,428
Phase 3B Shortfall				200,428	
Total Cost 3A & 3B	75,701	29,635	72,675	907,579	1,080,590
Carried Forward Capital Budget	442,294	412,659	339,984		
Total Change Request Amount – Total Cost 3A & 3B less available budget at start of 21-22				567,595	
Phase 3A and Phase 3B Total					1,085,590

Budget

- 3.2 The total cost of delivering the upgrade and reconstruction of the Myatt's Field North Phase 3A & 3B roads set out in this report is estimated at £1,085,590. The original budget of £517,995 has funded or will fund a total of work split thus: £487,995 for Phase 3A and for £30,000 for Phase 3B. The additional investment of £367,167 for the Phase 3A roads and £200,428 for Phase 3B totalling £567,595 would be met from the 5-year Capital Investment Programme (CIP) 2020/21.
- 3.3 The Council's Planning team has negotiated a contribution of £60,000 towards these highways works from the approved development on Elliott Road - Planning Application 20/01265/RG3. This

will be provided when the Section 106 agreement is entered into and will be drawn down to replenish the proposed CIP allocation to the project.

Revenue Implications

- 3.4 When the Phase 3 roads are included within the Vassall Ward CPZ, the Council can expect revenue streams from both parking permits and payphone parking. The income amount is however considered negligible given that all residents are currently eligible to buy permits for the Vassall CPZ.
- 3.5 Once the roads are upgraded, they will be added to the Council's revenue funded highways maintenance regime. The cost of maintenance will be similar to other borough roads, with negligible costs expected in the first 10 years of the asset's lifecycle.
- 3.6 All materials used within the estate are easily sourced from suppliers within the UK, allowing future maintenance for Myatt's Field North to be funded from current Highways maintenance budgets.

4. LEGAL AND DEMOCRACY

- 4.1 The Council's powers to implement the measures proposed in this report is principally set out in the Road Traffic Regulation Act 1984 (RTRA) and will require the making of a Traffic Management Order (TMO).
- 4.2 In making such Orders, the Council must follow the statutory consultation procedures set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the 1996 Regulations). The said Regulations, prescribe inter alia, specific publication, consultation and notification requirements that must be strictly observed. It is incumbent on the Council to take account of any representations made during the consultation stage and any material objections received to the making of the Order, must be reported back to the decision maker before the Order is made.
- 4.3 By virtue of section 122 of the RTRA, 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 the provision of suitable and adequate parking facilities on and off the highway. 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 to preserve or improve amenity.
 - c) the national air quality strategy.
 - d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.
 - e) any other matters appearing to the Council to be relevant.

The High Court has confirmed that local authorities must have proper regard to the matters set out in s 122(1) and (2) and specifically document its analysis of all relevant section 122 considerations when reaching any decision.

- 4.4 Sections 6, 45, 46, 124 and Schedule 1 and Part IV of Schedule 9 of the RTRA provides the Council with the power to implement the changes proposed in this report. This legislation gives a local

authority the power to make Traffic Management Orders (TMO) for the purpose of designating on-street parking places and to charge for the use of such places; imposing waiting and loading restrictions on vehicles of all or certain classes, at all times or otherwise; to prohibit, restrict and otherwise regulate the use of a road or any part of the width of a road by all classes of traffic, or by any class or classes of traffic and to vary or revoke an existing TMO for these purposes. The requisite sign(s) or road marking(s) for this purpose (or these purposes) is specified in the Traffic Signs Regulations and General Directions 2016 (TSRGD).

- 4.5 Section 6 of the RTRA provides that the Council may make a TMO for any of the following purposes (mentioned at paragraphs (a) to (g) of section 1(1) of the Act) namely:
- a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
 - b) for preventing damage to the road or to any building on or near the road, or
 - c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
 - d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
 - e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
 - f) for preserving or improving the amenities of the area through which the road runs
 - g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

- 4.6 When determining what paying parking places are to be designated on the highway, section 45(3) of the RTRA requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties. In particular, the Council must have regard to:

- (a) the need for maintaining the free movement of traffic,
- (b) the need for maintaining reasonable access to premises, and
- (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway.

Once the abovementioned Order is made, the council is required as soon as practicable to install the necessary road markings in that location so as to adequately provide information as to the Order in place there.

- 4.7 The Council has, pursuant to Section 62 of the Highways Act 1980(HA80), a general power to improve any highway in its area. Section 75 of the Highways Act 1980 extends a power to vary the relative widths of the carriageway and of any footway.

- 4.8 Section 90A of the Highways Act 1980 empowers a local highway authority to construct (and remove) road humps (including raised crossings or speed tables) on roads with a speed limit of 30 mph or less. The procedure for this including specific design, publication and consultation requirements are set out at Section 90C of the HA80 and detailed in the Highways (Road Humps) Regulations 1999. Those requirements include a duty to consult with:

- (a) the chief police officer;
- (b) the fire and rescue authority
- (c) the chief officer of any body providing ambulance services; and

(d) organisations appearing to represent persons who use the highway to which the proposal relates, or to represent persons who are otherwise likely to be affected by the road hump.

- 4.9 Section 90C of the HA1980 requires that the council publish in one or more local papers a notice detailing the nature, dimensions and location of the proposed road hump, raised crossing or speed table, the address to which any objections to the proposals may be sent and the period during which such objections may be sent, that period being no less than 21 days beginning with the date on which the notice is published. The same provision also specifies that the council post at appropriate points on the highway, a notice containing the aforementioned information for the same period.
- 4.10 Once the abovementioned Order is made, the council is required as soon as practicable to install the necessary road markings in that location so as to adequately provide information as to the Order in place there.
- 4.11 The Council has, pursuant to Section 62 of the Highways Act 1980 (HA1980), a general power to improve any highway in its area and per Section 75 of that Act a power to vary the relative widths of the carriageway and of any footway.
- 4.12 The history and outcome of the non-statutory public consultation undertaken to date is detailed at Section 5 of this report. The following principles of consultation were set out in a recent High Court case: First, a consultation had to be at a time when proposals were still at a formative stage. Second, the proposer had to give accurate and sufficient reasons for any proposal to permit of intelligent consideration and meaningful response. Third, adequate time had to be given for consideration and response, and finally, the product of consultation had to be considered with a receptive mind and conscientiously taken into account in finalising any statutory proposals. The process of consultation had to be effective and looked at as a whole it had to be fair. Fairness might require consultation not only upon the preferred option, but also upon any discarded option(s). The proposals detailed in this report require the making of a TMO. The statutory procedure to be followed in this connection (detailed above) includes a consultation stage. The Council is obliged to take account of any representations made at that stage, and any material objections received will need to be reported back to the decision maker before an Order is made. All objections received must be properly considered by the decision maker in the light of administrative law principles, Human Rights law and the relevant statutory powers. The 1996 Regulations provides for the holding of a public inquiry in connection with a decision to approve, modify or abandon a TMO. The purpose of such an inquiry would be for the proposal to be examined and for the public to be given the opportunity to make their views known in a public forum. The Council is only obliged to hold a public inquiry if the proposal relates to the prohibition of loading and unloading of vehicles of any class in a road on any day of the week (i) at all times, (ii) before 0700, (iii) between 1000 and 1600 hours, or (iv) after 1900 hours and an objection has been made to the proposed order; or the order relates to the prohibition or restriction of passage of public service vehicles. In all other cases, the decision maker may determine at his discretion whether or not to hold a public inquiry before making an order.
- 4.13 Section 149 of the Equality Act 2010 sets out the new public sector equality duty replacing the previous duties in relation to race, sex and disability and extending the duty to all the protected characteristics i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment. The public sector equality duty requires public authorities to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity and

- Foster good relations between those who share a protected characteristic and those who do not.
- 4.14 Part of the duty to have “due regard” where there is disproportionate impact will be to take steps to mitigate the impact and the Council must demonstrate that this has been done, and/or justify the decision, on the basis that it is a proportionate means of achieving a legitimate aim. Accordingly, there is an expectation that a decision maker will explore other means which have less of a disproportionate impact.
- 4.15 The Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken – that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.
- 4.16 In addition to the above, Section 175A of the Highways Act 1980 extends a specific duty upon local authorities to have regard to the needs of disabled and blind in the execution of certain street works (namely the placing of lamp-posts, bollards, traffic signs, apparatus or other permanent obstructions) which may impede such persons.
- 4.17 The Council’s constitution delegates to Directors and Assistant Directors (Delivery) the authority to consider objections received from statutory consultation as part of the TMO making process, (subject to a formal report setting out the objections, with clear recommendations, being submitted for approval) and the power to make, amend or revoke traffic orders, following the consideration of such objections.
- 4.18 This proposed key decision was entered on the Forward Plan on 21 December 2020 and the necessary 28 clear days’ notice has been given. In addition, the Council’s Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days (the call-in period) must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

5 CONSULTATION AND CO-PRODUCTION

- 5.1 The Metropolitan Police’s Designing Out Crime Officer (DOCO) was engaged at project inception and has provided information regarding crime and how these could be managed through public realm design. However, the key issues for the Metropolitan Police within the area are on roads outside this brief.
- 5.2 The Emergency Services (Police, Ambulance Service and Fire Brigade) have been consulted and no parties have raised any concerns.
- 5.3 The Vassall councillors have been engaged throughout the project lifecycle primarily on resident parking issues and green asset proposals.
- 5.4 As part of the initial consultation, a public engagement event took place in the Myatts Fields Community Centre on 8 September 2018 regarding the proposed highway improvement works and the upcoming statutory consultation on the Phase 2 Roads inclusion to the Vassall CPZ. The event was attended by residents primarily from the Phase 2 Roads. A survey on the Phase 3 roads

formed part of this event and also was available on the Council’s website. The key conclusions were high support for greening of the streets, support for new cycle infrastructure, better street lighting and accessibility (dropped kerbs) and additional parking including more parking enforcement. The full Myatts Field North Better Streets consultation report is available in Appendix F.

5.5 The stakeholders and statutory bodies listed in in Table 5.1 below were also consulted as part of this engagement exercise

TABLE 5.1 Statutory Bodies & Stakeholders Consulted
Cabinet Member for Environment & Clean Air
Ward Councillors
Police
Fire Services
Ambulance Service
LB Streetcare (Refuse Service)
RAMB
Oval Quarter Residents Association
The Happenings
Disability Advice Service Lambeth (DASL)
Christ Church Primary School
SPAR (Cromwell Road)
Day Lewis Pharmacy
Myatts Field Medical Practice
Iveagh Surgery/Minet Green Health Practice
Regenter/Pinnacle Consortium

5.6 Local residents, stakeholders and businesses will be engaged as part of the statutory consultation process regarding their inclusion to the Vassall Controlled Parking Zone and traffic management measures discussed in Section 2:

- New waiting and loading restrictions on all the roads;
- Vertical traffic calming on Cromwell Road and Elliott Road;
- One-way traffic system on Winterslow and Navarre Road;

5.7 Elliott Road and Foxley Square residents were engaged on the proposals on Elliott Road between 22 January to 13 February 2020, including the opportunity to choose the species of new trees to be replanted. There were 4 responses to the consultation, two in support of the proposal and two comments. The two responses in support welcomed the provision of a new footway and public realm improvements and included a request for providing motorcycle parking. The two comments were critical in terms of the tree removal but did not explicitly object to the proposals. There was no clear preference for the new tree species. Table 5.2 summarises the responses received below, which is fully contained within Appendix F.

Table 5.1 – Distribution of Representations					
	Support	Comment	Stakeholder Representation	Objection	Total
Elliott Road Trees	2	2	0	0	4
Total	2	2	0	0	4

5.8 There are no bus routes on the Phase 3A & 3B roads therefore there is no requirement to engage with London Buses.

6 RISK MANAGEMENT

6.1 Table 6.1 explains how risk severity is calculated. Non-exempt risks associated with the implementation and outcomes of the proposed scheme are outlined in table 6.2.

Table 6.1: Calculation of Risk Rating		Impact			
		Minor (1)	Significant (2)	Serious (4)	Major (8)
Likelihood	Very likely (4)	4	8	16	32
	Likely (3)	3	6	12	24
	Unlikely (2)	2	4	8	16

Table 6.2 Project Risk Ratings as at 30 November 2020				
Risk	Likelihood	Impact	Score	Mitigation
Cost: Project build cost is significantly larger than the original allocation.	3	2	6	The contractor's estimate at Detailed Design was £505k for build. A 20% contingency has been applied which takes into account the move to a new framework contractor for these works. The total budget shortfall of £567,595 is therefore requested to be transferred from the 5 Year Capital Investment Programme (CIP), the subject of this CMDR.
Cost: Project build cost is significantly larger than the original allocation	4	3	12	A phased approach for delivery of the improvements has been considered should the CIP not be able to fully meet the cost in 2021/22. This would prioritise the roads according to condition.
Statutory: CPZ Consultation date needs agreeing – potential impact from COVID on overall delivery timescales	2	2	4	Statutory consultation set for January 2021
Build: Covid Impact	3	2	6	Area is highly residential and works would be ongoing for a long duration. Contractor to provide adequate risk assessment sufficient to reassure residents of workforce presence.
Programme: Covid – second lockdown	4	2	8	Second lockdown affects material availability and timescales from 3 rd party suppliers
Reputation: Budget Shortfall not met from the 5 Year Capital Investment Programme	3	2	6	The risk of the additional monies for the works not being allocated from CIP would cause reputational damage. Residents are becoming

				more vocal and actively escalating complaints regarding the problems they are experiencing due to the inability to control parking in the area.
Programme: Delay with design finalisation from CVU/Aecom	3	2	6	Delay experienced at beginning of the year due to Contractor and Designer loss of key staff and continuity of design. This project will be taken forward with the new framework contractor, to be handed over in January 2021.
Stakeholder: Removal of 10 trees on Elliott Road	3	2	6	The Ward Councillor and resident engagement exercise is complete.
Cost: Drainage	2	3	6	Investigations have raised the need for significant drainage works on a number of the roads. This has been accounted for in the build cost, however there may be further unknown costs associated with this improvement.
Delivery: Drainage Works	2	3	6	There will be a need to divert water mains to residents during drainage works. Contractor to plan and make the necessary agreements.
Delivery: Green Asset	2	2	4	Seasonal floral and fauna impact in relation to the project build timeline for the installation of the new trees on Elliott Road. To be mindful and timely when considering the bird nesting season.
Delivery: Timescale / Programme Overrun	2	2	4	Contractor to review what works can occur in parallel. E.g. Phase 3 Works could start at the same time as Fairbairn Green as access requirements do not conflict. PM applied contingency.
Potential for Brexit events to impact on the project (Materials)	2	2	4	The products and materials proposed to be used are standard items with exception of the block paving, which although excluded from the current framework contractor's Schedule of Rates is a common product.
Potential for Brexit events to impact on the project (Resource)	2	2	4	The use of EU workers on the delivery may be impacted post Brexit with fewer people in the UK.

7 EQUALITIES IMPACT ASSESSMENT

7.1 The Project Manager has screened the scheme's likely effect on people who have one or more of the protected characteristics (race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment). The screening looked at how the scheme might:

- Eliminate unlawful discrimination, harassment and victimisation,
- Advance equality of opportunity, and

- Foster good relations between those who share a protected characteristic and those who do not

7.2 None of the protected characteristics was identified as being disproportionately affected by the scheme. The Equalities Impact Assessment is included in Appendix G.

8 COMMUNITY SAFETY

8.1 The Department for Transport's publication LTN 1/04 - Policy, Planning and Design for Walking evidences how a highway network that is in good condition encourages people to walk and cycle. The improved natural surveillance that this provides a neighbourhood is to the benefit of community safety

9 ORGANISATIONAL IMPLICATIONS

Environmental

9.1 The project has considered the Healthy Streets Approach, enhancing the public realm to create spaces where people feel safe and want to walk, cycle and spend time.

9.2 The ten trees proposed to be removed from Elliott Road would be replaced by nine trees equalling a net loss of one tree. However additional greening throughout the estate is proposed in the form of gabions and plug plants, wildflower in verges and bulbs in existing tree pits. There are no further tree removals proposed in the remaining roads.

9.3 The street lights will be upgraded to LED lights and new columns will be provided. This will create efficiencies in terms of electrical power consumption and light pollution.

9.4 Contractors are required to carry out works in adherence to Lambeth Council's Sustainable Construction Policy.

Health

9.5 The proposed measures encourage walking and cycling by providing new footways and cycle hangers. The ability for the Council to control the parking provision will address antisocial behaviour and the negative impact on affected residents.

Corporate Parenting

9.6 None.

Staffing and accommodation

9.7 A staffing resource amounting to 0.25 FTE has been allocated in the Service Plan to deliver this project; this resource is already in post.

Responsible Procurement

9.8 None arising from this report; all goods and services will be provided by the Council's existing framework contractor. The Council's streetlighting contractor Bouygues will upgrade the street lighting to the LED energy efficient lamps and columns.

10 TIMETABLE FOR IMPLEMENTATION

Action	Date	Status
Elliott Road Engagement	Jan 2020	Complete
Detailed Design Complete	Nov 2020	Received
Forward Plan	Dec 2020	In progress
Cabinet Member Decision	Dec 2020	In progress
Publish Decision	Mar 2021	In progress
Phase 3A & 3B CPZ Statutory Consultation	May 2021	TBC – COVID impact
Objection Response Complete	June 2021	
Build Phase Starts Phase 3A	July 2021	
Build Phase Finishes Phase 3A	tbc	
Build Phase Starts Phase 3B	tbc	
Build Phase Finishes Phase 3B	tbc	

Audit Trail				
Consultation				
Name/Position	Lambeth directorate / department or partner	Date Sent	Date Received	Comments in paragraph:
Cllr Claire Holland	Deputy Leader, Sustainable Transport, Environment and Clean Air	01.02.21	03.02.21	
Cllr Jack Hopkins	Leader of the Council	01.02.21	23.03.21	
Cllr Paul Gadsby	Ward Councillor, Vassall			
Cllr Annie Gallop	Ward Councillor, Vassall			
Cllr Jacqui Dyer	Ward Councillor, Vassall			
Bayo Dosunmu, Strategic Director	Resident Services	28.01.21	29.01.21	
Michael Munnely, Assistant Director Infrastructure, Environment, Public Realm & Climate Change Delivery	Environment & Streetscene			
Leonardo Morris, Senior Engineer (CPZ)	Environment & Streetscene	15.11.20	25.11.20	
Hannah Jameson Assistant Director for Sustainable Development and Climate Change	Sustainable Growth and Opportunity	15.11.20	17.11.20	
Greg Carson Principal Lawyer	Housing Property and Planning	10.12.20	18.01.21	
Andrew Ramsden, Assistant Director of Finance	Resident Services	15.11.20	02.12.20	
Jean-Marc Moorcambe, Senior Prosecution Lawyer	Legal and Governance	24.02.20	26.04.20	2
Maria Burton, Senior Democratic Services Officer	Legal and Governance	24.02.20	28.02.20	4

Report History	
Original discussion with Cabinet Member	Cabinet Member Briefing 20 June 2019
Report deadline	N/A
Date final report sent	N/A
Part II Exempt from Disclosure/confidential accompanying report?	N/A
Key decision report	Yes
Date first appeared on forward plan	TBC
Key decision reasons	2. Expenditure, income or spend in excess of £500,000
Background information	<ul style="list-style-type: none"> • Lambeth Transport Strategy • Lambeth Local Implementation Plan • TfL Healthy Streets for London
Appendices	<ul style="list-style-type: none"> • Appendix A: 60581765-B602-SHT-100-03_Rev2 • Appendix B: Elliott Road Jan 20 • Appendix C: BS5837:2012 Tree Survey Summary

	<ul style="list-style-type: none">• Appendix D: Street Lighting 0474-DFL-1300 - Road 1 0474-DFL-1300 - Road 2• Appendix E: DES-CPZ-N-2003-002 - Vassall CPZ extension (Phase 3) Model (1)• Appendix F: MFN Better Streets 2018 Consultation Report summary https://www.lambeth.gov.uk/sites/default/files/co-myatts-field-north-consultation-report.pdf Elliott Road January 20 Consultation Report• Appendix G: Equalities Impact Assessment
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APPROVAL BY CABINET MEMBER IN ACCORDANCE WITH SCHEME OF DELEGATION

I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board and taken account of their advice and comments in completing the report for approval:

Signature: _____ **Date:** _____

Post: Jay Ward, Project Manager, Capital Programmes, Highways and Sustainability

I confirm I have consulted the relevant Cabinet Members, including the Leader of the Council (if required), and approve the above recommendations:

Signature: _____ **Date:** _____

Post: Cllr Claire Holland, Deputy Leader of the Council, Sustainable Transport, Environment and Clean Air

Any declarations of interest (or exemptions granted): n/a

Any conflicts of interest: n/a

Any dispensations: n/a