

CABINET MEMBER DELEGATED DECISION: 20 DECEMBER 2021

Report title: Railton and St Matthew's Low Traffic Neighbourhood

Wards: Coldharbour, Herne Hill, Tulse Hill

Report Authorised by: Bayo Dosunmu, Strategic Director of Resident Services

Portfolio: Cabinet Members for Sustainable Transport, Environment and Clean Air (job share):
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Report summary

This report authorises the making of traffic orders to give the experimental traffic schemes known as Railton Low Traffic Neighbourhood and St Matthew's Low Traffic Neighbourhood permanent effect. The report considers responses, including objections, to the relevant traffic orders comprising the experimental schemes, general feedback received from the community and stakeholders, the results of non-statutory public consultation, the measured impacts of the scheme and proposed complementary improvements to the local area. The report also issues scheme approval for the implementation of public realm works associated with the permanent schemes.

Finance summary

The projected cost of the proposals, including the implementation of preliminary public realm works and the development of complementary measures, is £813,600.

The scheme will be funded by the approved Sustainable Transport and Public Realm capital allocation for Low Traffic Neighbourhoods, this funding to be supplemented by grant funding should this become available.

Recommendations

1. To consider responses received, including objections and the proposed response to these, to the experimental traffic orders comprising the Railton Low Traffic Neighbourhood and St Matthew's Low Traffic Neighbourhood schemes.
2. To consider the performance of the experimental schemes in relation to the agreed Monitoring Strategy.
3. To consider the Council's statutory duties under section 16 of the Traffic Management Act 2004 and section 122 of the Road Traffic Regulation Act 1984.
4. To consider the Council's statutory duties under the Equality Act 2010 including the discharge of the Public Sector Equality Duty and any impact on Human Rights.
5. To consider the outcome of non-statutory consultation and market research in relation to the experimental schemes.
6. To approve the development and implementation of complementary area improvements and approve the LTN Exemption Policy.

7. That responses received to the experimental traffic orders, including objections to the proposals, do not warrant the holding of a public inquiry.
8. To delegate authority to the Assistant Director, Parking, Streetworks and Commercial for the making of traffic orders which give permanent effect to the experimental traffic schemes known as Railton Low Traffic Neighbourhood and St Matthew's Low Traffic Neighbourhood under the provisions of section 124, Schedule 1 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 Regulations 23 and 24.
9. To grant scheme approval for the construction of public realm works associated with the permanent LTN scheme as described Section 2 of this report and illustrated in the design drawings attached in Appendix H.

1. CONTEXT

- 1.1 The Transport Strategy Implementation Plan (TSIP) sets out the mechanisms for delivery of the Lambeth Council Transport Strategy objectives to make borough transport networks safe, efficient, inclusive, sustainable and healthy. The introduction of Low Traffic Neighbourhoods (LTNs) is recommended within the TSIP as an effective delivery intervention that helps to achieve these objectives.
- 1.2 The TSIP Low Traffic Neighbourhood Plan sets out the rationale and approach for LTNs as applied to Lambeth. LTNs are part of a network approach that manages strategic traffic onto the main road network by 'filtering' residential streets to deter through motor traffic whilst retaining certain routes for local vehicle access. Such measures are expected to encourage a mode shift from motor vehicle travel to sustainable modes and reduce the negative impacts associated with this form of travel, such as road danger, air pollution, carbon emissions and congestion. Since 6 out of 10 Lambeth households do not own a car, measures to re-allocate space and priority within the surface transport system towards more sustainable modes are proportionately beneficial.
- 1.3 Between 2019 and 2020 traffic analyses and community consultation were undertaken as part of the Brixton Liveable Neighbourhood Project which anticipated the introduction of traffic restraint measures in the neighbourhoods surrounding Brixton town centre.
- 1.4 In January 2019 Lambeth became the first council in London to declare a Climate Emergency and the Corporate Carbon Reduction Plan reasserts the Council's commitment to taking all actions necessary in response to the climate crisis. Transport accounts for a significant proportion of the borough's CO2 emissions and traffic reduction, together with the switch to zero emissions vehicles, will be required to deliver the necessary change in this area. Urgent action is required to meet this challenge and an innovative and flexible approach will be necessary.
- 1.5 The Covid-19 pandemic underlined the need to implement improvements to the transport network and on 27 April 2020 the Council published its Covid Transport Strategy Response, followed on 15 May 2020 by the Covid-19 Transport Strategy Programme.
- 1.6 The Strategy Response highlighted the need for traffic restraint in order to maintain a safe and healthy environment during the initial stages of the pandemic and to prevent a surge in motor traffic as restrictions on travel were expected to be eased. A key objective of the Strategy was to ensure that those who needed to drive could do so by introducing measures protecting against a significant increase in car trips and resulting congestion on the road network. Phases 2, 3 and 4 of the Strategy included the implementation of LTNs on a trial basis. The subsequent Programme provided more detail on the schemes to be brought forward based on a number of delivery scenarios.
- 1.7 The Covid-19 Transport Strategy Programme identified a broad range of interventions, including Low Traffic Neighbourhoods (LTN) and Healthy Route schemes and committed funding for these. The Railton LTN was included in the Programme's 'Baseline Scenario' for priority delivery. St Matthew's Road is adjacent to the Railton area and covers an area of high deprivation with a known problem of 'rat running' and was therefore prioritised to be delivered alongside the Railton scheme.
- 1.8 On 6 May 2020, the Mayor of London announced the London Streetspace Plan (LSP). This aimed to make it easy and safe for Londoners to choose to walk or cycle as an alternative to public transport use, which was restricted at the time. The LSP was developed to help respond to the immediate public health imperatives around:
 - enabling social distancing on-street;

- encouraging Londoners to avoid unnecessary use of public transport; and
- focusing on strategic movement to prioritise walking and cycling.

- 1.9 On 23 May 2020, the Secretary of State for Transport issued statutory guidance in relation to the effect of Covid-19 on highway network management. The guidance stated that, to encourage active travel and to enable social distancing, local authorities should take measures to re-allocate road space to people walking and cycling. It emphasised these measures should be taken as swiftly as possible. The guidance is specific in its recommendations, for example supporting creating 'modal filters' whereby planters or large barriers are used to close roads to motor traffic, creating neighbourhoods that are low-traffic or traffic free.
- 1.10 To deliver the swiftest response, in line with statutory guidance, the Council proceeded to make temporary traffic management orders prohibiting through traffic using a number of residential roads in Lambeth, including areas to the south-east and south-west of Brixton town centre (Railton and St Matthew's). Temporary traffic restrictions consisting of five modal filters were introduced on 20 June 2020 for Atlantic, Railton, Shakespeare and St Matthew's Roads under a Section 14 traffic order. The temporary scheme was comprised of modal filters at Atlantic Road, Railton Road, Shakespeare Road and St Matthew's Road.
- 1.11 In October 2020 the Council issued scheme approval for the implementation of the Railton and St Matthew's LTNs, along with a number of other interventions, under experimental traffic orders. The Railton LTN was defined as bounded by the Herne-Hill-to-Brixton railway line, A2217 Coldharbour Lane, A204 Effra Road and A2214 Dulwich Road. The St Matthew's LTN was defined as bounded by the A23 Brixton Hill, A204 St Matthew's Road, A204 Effra Road and the unclassified Brixton Water Lane. In effect, the St Matthew's LTN was comprised of a single modal filter on St Matthew's Road itself. The specific measures were informed by traffic analyses and community consultation undertaken between 2019 and 2020 as part of the Brixton Liveable Neighbourhood Programme.
- 1.12 Prior to the implementation of the experimental schemes and following analyses of traffic surveys undertaken between July and September 2020 and taking into account initial public feedback, a further Council decision in December 2020 issued scheme approval for the implementation of additional modal filters at Trelawn, Dalberg and Rattray Roads as well as confirming existing filter locations identified in 1.10 above. Subsequently traffic orders were made in January 2021. These experimental orders superseded the temporary traffic orders used initially due to urgency. The use of experimental traffic orders enabled a statutory objection period in the first 6 months following implementation and also provided the basis for the enforcement of the schemes using traffic cameras.
- 1.13 It is now proposed to move the current experimental schemes to permanent schemes. The relevant traffic order detailing the traffic restrictions implemented by the experimental scheme is included at Appendix I. No changes to the scheme are permitted or proposed in moving the experimental orders to permanent orders.
- 1.14 The experimental LTNs were implemented using the minimum infrastructure required to allow the schemes to operate effectively and safely during the trial period. This comprised the use of diagram 619 motor vehicles prohibited traffic signs and planters indicating the position of the restrictions. Physical gaps were retained at all locations to allow access for the relevant exempt vehicles, which are emergency services at all locations, pedal cycles, local buses on Railton / Atlantic Road, and special permit holders at Atlantic Road. ANPR cameras have been deployed to ensure compliance with the filters, since they allow passage for exempt vehicles.

- 1.15 The Council published its LTN Monitoring Strategy in December 2020 – see Appendix J. The Strategy sets out clearly the objective measures that will be used to evaluate the performance of the experimental schemes and is supported by an extensive monitoring programme involving the collection of significant amounts of data. In summary, the key objective is that schemes should result in overall traffic reduction when considering internal and boundary roads together. Some monitoring indicators, for example impact on road safety, generally require a longer monitoring timescale in order to make fully robust assessments and therefore the monitoring process will be ongoing as part of the Council’s wider transport monitoring activity. Disbenefits are also to be monitored, for example increased traffic on boundary roads. A summary and analysis of the data collected has been published in two stages as defined by the Monitoring Strategy.
- 1.16 Consultation and engagement on the schemes have been ongoing throughout the process, building on the work already undertaken as part of the Brixton Liveable Neighbourhood programme. As well as statutory consultation as part of the experimental traffic order making process, community engagement has been carried out by the Council’s dedicated Community Street Design Team using a variety of methods and approaches, including face to face engagement where Covid-19 restrictions have allowed this. Once sufficient data had been collected to assess the performance of the scheme and given that this showed Monitoring Strategy objectives were being met, a non-statutory public consultation was then undertaken to seek community views on the trial schemes.

2. PROPOSAL AND REASONS

Objectives

- 2.1 The objectives for the LTN programme, including Railton and St Matthew’s, are set out in the Monitoring Strategy. The main objectives are to achieve a reduction in through motor traffic within LTN areas and an overall reduction of motor vehicle movements across the area, when considering boundary and internal roads together. Further objectives include reducing motor vehicle speeds and traffic collisions, improving air quality, increasing levels of walking and cycling, supporting the local economy and positive equalities impacts.
- 2.2 The TSIP Low Traffic Neighbourhood Plan had prioritised scheme areas based on a range of similar criteria – air quality, safety, travel to school, walking and cycling routes and motor traffic levels.
- 2.3 Traffic data from 2019 indicated that up to 75% of motor traffic using Railton Road and Shakespeare Road in the busiest times did not originate from or was not destined for the local area. The consequences of high vehicle traffic volumes in residential areas include a) road danger threat to those road users most at risk b) perceived danger and discomfort suppressing active travel and mode shift to sustainable travel, c) air pollution and d) noise pollution. It is important to consider that the proposals were also expected to have a significant beneficial impact in terms of pedestrian (including those who require the use of mobility aids) and cycle movements in the area, making these safer, more convenient and more accessible.
- 2.4 Railton Road forms part of the borough’s adopted Healthy Route Network, as defined in the TSIP Healthy Route Plan, connecting Brixton and Herne Hill. To meet the defined Healthy Route criteria, motor vehicle traffic must be separated or sufficiently low so that people walking, wheeling, scooting and cycling the route are comfortable and safe. At this location, officers considered a traffic management approach to be more suitable than the provision of separated cycle infrastructure and the experimental

scheme was expected to achieve a sufficient reduction in motor vehicle traffic to meet healthy route criteria.

- 2.5 In order to achieve monitoring objectives and address identified issues in the local area, the intended effect of the experimental scheme restrictions was to prevent through motor traffic from traversing the residential streets within the area bounded by the Loughborough-Junction-to-Brixton railway line, A2217 Coldharbour Lane, A204 Effra Road and A2214 Dulwich Road and on nearby St Matthew's Road.

Assessment of Impacts

Monitoring approach and findings

- 2.6 Based on the objective measures identified in the Monitoring Strategy, officers consider that the Railton and St Matthew's schemes are meeting the identified criteria for success in most areas and that complementary measures can be brought forward to address any negative impacts recorded.
- 2.7 Data collection and assessment has been carried out in several stages, in line with the Monitoring Strategy approach. Due to the emergency nature of the schemes and the atypical traffic conditions at the time, it was not possible to establish a traffic baseline with surveys immediately prior to implementation. Due to this constraint, officers have made use of existing data from previous surveys pre-Covid-19 as well as other data sources where such survey data was not available. Using this data, the Council has commissioned an independent consultancy to establish and apply a methodology that calculates a representative baseline against which traffic surveys carried out during monitoring of the experimental scheme can be appropriately compared.
- 2.8 Based on the established methodology, comparisons show that the schemes have resulted in motor vehicle traffic volumes falling significantly on local streets where modal filters have been installed and that the subsequent re-routing of vehicles for access has not caused traffic to significantly change on other adjacent streets within the LTN. At the same time levels of cycling within the area have increased significantly. For example, on Railton Road motor vehicle traffic has decreased by 70%, whereas cycling traffic has increased by 62%. This data has been published in the form of Stages 1 and 2 monitoring reports – see Appendix C. The overall volume of motor traffic recorded across all streets in the monitoring scope, internal and external has decreased by 18%, equating to almost 19,000 fewer vehicles.
- 2.9 During the first 'lockdown' the Metropolitan Police expressed concerns about increased traffic speeds. This was unrelated to LTNs. Local Highway Authorities responded to this by closing off residential routes to through traffic in order to maintain public safety. Recorded traffic speeds have reduced at eight of the nine monitoring sites in the Railton area where baseline data is available. This includes a reduction of 20% on Shakespeare Road, 23% on Railton Road, 21% on Coldharbour Lane and 9% on Dulwich Road. LTNs protect local streets from excessive speed and this was a key rationale for their introduction in response to Covid-19.
- 2.10 The Railton LTN includes the Railton / Atlantic Road corridor and Shakespeare Road that are designated as a Healthy Routes - priority corridors for walking and cycling. The TSIP Healthy Routes Plan sets out criteria which roads must meet in order to achieve Healthy Route status. Traffic surveys pre-pandemic show typical volumes on key roads in the LTN well in excess of the Council's Healthy Routes quality criteria. Traffic on Railton Road was c. 3,700 motor vehicles per day (up to 75% through traffic) and traffic on Shakespeare Road was c. 3,000 motor vehicles per day (up to 75% through traffic). Following

the introduction of the LTN, these roads are now compliant with the required standard for maximum traffic volumes at the busiest times.

- 2.11 Due to a lack of baseline data, it has not been possible to carry out an assessment of impacts on levels of walking / wheeling following the introduction of the LTNs. Recent academic research however indicates that walking is likely to be the main beneficiary of similar traffic restraint schemes¹. Further longitudinal studies are required, but in particular a significant safety benefit for pedestrians has been noted in this research, which included consideration of data from the Railton scheme area.
- 2.12 The Council has commissioned an independent review of air quality impacts in relation to the LTNs. This assessment uses the established traffic data baseline and subsequent traffic surveys to model the air quality impact based on traffic flows and taking into account a range of other factors, such as topography. The review then considers any impacts, the scale of impact, how locations defined as sensitive, e.g. schools, are affected and air quality levels in absolute terms and in relation to standards / health guidelines. A modelling approach has the advantage of being able to take a wide variety of factors into consideration and was necessary in this case due to the lack of baseline air quality measurement data in the scheme area. The assessment carried out does not identify any significant air quality impacts at sensitive locations following the implementation of the LTN schemes. Within the LTN and on some boundary roads air quality has improved. There have been some slight increases in emissions on other boundary roads, with Coldharbour Lane seeing the greatest increase in emissions and these locations will be the focus of further monitoring and mitigation work. Further detail is provided in Appendix D.
- 2.13 Some local businesses have suffered significant disruption due to the effects of the Covid-19 pandemic and officers in the Transport team have worked closely with the High Streets team to deliver targeted engagement around the LTN programme. While access by motor vehicle is maintained to all premises, some businesses have reported a decline in custom due to a lack of 'passing trade'. While empirical evidence suggests that, generally, schemes that promote walking and cycling increase retail spend and that people who walk and cycle spend significantly more than those than those travelling by car², some specific issues have been identified and officers are working with businesses to make the schemes work for them as best as possible. To assist viability, a number of food and beverage businesses in the area have requested the enabling of outdoor seating space for their customers. Working with the Licensing team, officers have been able to respond with the provision of protected space for customers on the carriageway in the form of 'parklets' – on Atlantic Road for example. This re-allocation of road space to allow more commercial use, as well as more public space for seating and green space, has only been possible due to the reduction in traffic volumes delivered by the trial LTN schemes. Officers continue to work closely with local business via the Brixton BID in order to develop ambitious plans to improve the walking and cycling environment in Brixton town centre by reducing motor vehicle traffic, as originally envisaged by the Brixton Liveable Neighbourhood project.
- 2.14 Some indicators, such as road traffic casualties, need to be monitored over a longer period in order to draw robust conclusions (although see 2.11 above). The Council will continue to monitor ongoing scheme and area impacts as part of its strategic monitoring programme.
- 2.15 See Section 7 for equalities impacts.

Network impacts

¹ <https://findingspress.org/article/25633-impacts-of-2020-low-traffic-neighbourhoods-in-london-on-road-traffic-injuries>

² <https://content.tfl.gov.uk/walking-cycling-economic-benefits-summary-pack.pdf>

- 2.16 The expected and measured impact of the low traffic neighbourhood traffic restrictions has been considered in the wider context of the local road network in line with the Council's legal responsibilities under section 122 of the Road Traffic Regulation Act (RTRA) 1984 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. When exercising its functions under the RTRA, the Council must under section 122(1) so far as practicable having regard to the matters specified in subsection (2) 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. The "matters specified" in subsection (2) are (1) the desirability of securing and maintaining reasonable access to premises; (2) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run; (3) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy); (4) 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 and (5) any other matters appearing to the local authority to be relevant". Section 122 of the RTRA involves a balancing exercise that has involved the Council's officers having in mind the section 122(1) duty, having regard to factors pointing in favour of imposing a restriction on that movement (as discussed in this report), balancing the various considerations and coming to the conclusion that the recommendations in this report represent the appropriate outcome. The factors which have pointed in favour of imposing a restriction on that movement have included the objective of reducing pollution and carbon emissions, improving health outcomes, reducing collisions and reclaiming neighbourhood streets for pedestrians. The Council as a local traffic authority must under section 16(1) of the Traffic Management Act 2004 manage its road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the objective of securing the expeditious movement of traffic on the Council's highway network and facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority. Section 162(2) of the 2004 Act refers to action which the authority may take in performing the network management duty including, in particular, the stated action and which may involve the exercise of the stated power. Officers consider that the adoption of the recommendations in this report will discharge the network management duty.
- 2.17 A key principle of the approach is that all premises within the LTN areas remain accessible by motor vehicle at all times, albeit with different access routes in some cases. In the very small number of cases where this could not be achieved by the scheme design, exemptions have been granted, to enable loading / servicing activity within modal filter locations for example. Thereby reasonable access is retained.
- 2.18 The experimental schemes were designed to ensure no impediment to emergency service vehicles. These are exempted from the restrictions which are camera enforced rather than having physical barriers. Ongoing engagement with emergency services during the trial period has not identified any significant concerns in terms of access or journey times.
- 2.19 Given the changes to motor vehicle routing involved, it has been important to provide adequate information to alert drivers to these changes in order to avoid confusion. As well as providing information direct to residents in advance of implementation, the schemes included a comprehensive signage schedule to provide advanced warning on-street. Many drivers rely on satellite navigation systems and the network changes were published to service providers via updates on the One Network system as well as by contacting providers directly. As some providers update their systems in real time based on observed traffic movements and given that, initially, a relatively high level of non-compliance with the

restrictions occurred, some systems have provided inaccurate information to service users. At the filter locations themselves, additional signage on-street warning of the restrictions has been prominently displayed. Given that a permanent scheme will retain the ability for exempted / authorised vehicles to pass through the modal filters a certain level of non-compliance is to be expected going forward.

- 2.20 Prior to the introduction of the schemes, data analysis had shown significant levels of through traffic in the LTN areas – see 2.3. The roads within the LTN areas are largely unclassified and from a network perspective not intended to carry significant volumes of traffic. Monitoring shows that the schemes have been effective in addressing this – see 2.8. The schemes therefore reinforce a network management approach where non-local traffic is directed to the principal road network which has been designated and designed for this purpose, with local roads providing access and links to this.
- 2.21 The monitoring scope includes an assessment of impacts on scheme boundary roads and the wider road network. LTN boundary roads have been assessed in a similar way as roads within the scheme areas, with periodic traffic surveys being the key measure. Increases in level of cycling have been recorded on boundary roads. Comparisons of motor traffic volumes show that there has been no significant impact on A204 Effra Road and A2214 Dulwich Road which bound the Railton area to the west. An increase in traffic volumes has been recorded on A2217 Coldharbour Lane, as well as on Milkwood Road which is the next available route to the east of the Herne-Hill-to-Brixton railway line. In regard to St. Matthew's, no significant change has been identified on the A23 Brixton Hill, A204 St Matthew's Road, or the A204 Effra Road. The unclassified Brixton Water Lane has recorded an increase in traffic volumes. Appendix C provides details of these impacts.
- 2.22 On roads where traffic volumes are recorded as increasing, officers will carry out further monitoring and develop mitigation measures as appropriate, for example changes to traffic signal timings and provision of better infrastructure for walking, cycling and buses – see 2.32 below for identified improvements.
- 2.23 Officers have faced some challenges in assessing the specific impact of LTN schemes on the wider network given that traffic patterns are affected by a variety of factors and the further away from the LTN, the harder it becomes to determine that impact. Due to urgency, it was not possible to commission traffic modelling studies to forecast scheme impacts in advance of implementation. The experimental schemes, however, allow impacts to be assessed in real time and the Strategic Transport Authority, Transport for London (TfL), has provided data on bus performance and other network data relevant to the affected areas. This data does not show any significant impact attributable to the schemes. Officers were requested to attend TfL's Road Space Performance Group (RSPG) to present the Railton LTN. The RSPG exercises TfL's Network Management Duty in relation to the Strategic Road Network, including the TLRN ('red route') network, for which TfL is Highway Authority. In this case a decision was taken to support the Railton LTN proposals as presented and discussed at RSPG, with the high level of collaboration between TfL and borough officers commended.
- 2.24 No impacts have been recorded affecting other Highway Authorities, including neighbouring boroughs, and no representations have been received from these. Notwithstanding this, officers have worked closely with the London Borough of Southwark, which is adjacent to the scheme area, in order to monitor traffic patterns across a wider area and to co-ordinate network improvements.
- 2.25 Assessment of changes to journey times by motor vehicle indicate that, in some cases, these may have increased where traffic that previously used local streets has been diverted to the main road network. In particular, short journeys by motor vehicle may take longer in some cases. These effects were anticipated in the design of the scheme which seeks to prioritise sustainable modes of travel – walking,

cycling, public transport – over private car use, consistent with the Council's adopted policy, as well as regional and national policy and guidance. In particular, it is anticipated that short car trips can in some cases be replaced with walking and cycling trips where low levels of motor traffic provide an environment where more people feel confident to travel by these modes. Non-motorised traffic is able to pass through all modal filters without restriction.

- 2.26 Officers have been working with Transport for London to assess impacts on bus journey times for bus routes within and on the boundary of the LTN trial area. Data from buses was provided to the Council which has not flagged any significant impacts. Some minor journey time volatility has been recorded on Dulwich Road for buses travelling southbound. Officers will continue engage with Transport for London to monitor bus performance and investigate the need for mitigating measures as required.

Objections

- 2.27 The Council has received a number of representations, including objections, to the experimental traffic orders comprising the schemes. The level of response should be considered in the context of the LTN areas being relatively large and the high level of interest in the schemes from respondents locally, across Lambeth and beyond.
- 2.28 Experimental orders have a statutory 6 month period following the making of an order in which representations can be made against the making of a permanent order. In practice, officers have carefully reviewed all feedback received since the schemes were first implemented under temporary orders and also beyond the 6 month formal objection period for the experimental schemes. For more details see Section 5.
- 2.29 Following a review of the 'in time' objections to the scheme, individually and collectively, officers do not consider there are any objections raised which would warrant holding a public inquiry. As discussed in Section 5 and detailed in Appendix A, officers have concluded that the objections are mostly not considered to be substantiated by available evidence, or measures have or can be brought forward to address the issues raised, or else any disbenefits that are acknowledged are considered to be outweighed by scheme benefits which help deliver the Council's policies. Where objections are accepted, or partially accepted, it is considered that complementary measures identified in this report can suitably address these.
- 2.30 All respondents registering scheme specific, 'in time' objections will be sent a response including the grounds for either accepting or not accepting their objection.

Human Rights

- 2.31 Whilst the Railton and St Matthew's Low Traffic Neighbourhoods may potentially interfere with certain residents' human rights i.e. Article 1 of the First Protocol – the protection of the right of everyone to the peaceful enjoyment of possessions, Article 8 – the protection of the individuals' right to respect for their private and family life, their home and their correspondence, and Article 14, prohibition on discrimination, it is considered that these schemes are in the general public interest and particularly in the interests of public health and safety and the scheme has been designed so that any interference is proportionate. The equalities impact of the scheme is considered in the accompanying Equalities Impact Assessment, and summarised in section 7 of this report.

Scheme Improvements

2.32 While the LTN schemes are assessed to meet the objective criteria for success set out in the Monitoring Strategy, a number of complementary measures have been identified:

- Implement small scale accessibility improvements across the area based on street audits carried out and with input from Transport for All
- Review of traffic signal phasing on Coldharbour Lane to improve performance as part of current corridor study to review safety and accessibility
- Implement planned bus priority improvements and work with TfL to review A2214 Dulwich Road corridor
- Work with LB Southwark to review traffic flows and management in the Herne Hill area
- Increase provision of secure cycle parking in the area
- Continue to promote the extension of the Santander Cycle Hire Scheme to Herne Hill
- Targeted provision of free cycle training for children and adults and initiatives to promote walking
- Work with local businesses to incentivise delivery and servicing via sustainable modes e.g., cargo bikes, further develop outside space offer and progress plans to improve the town centre environment
- Review of lighting and other measures to improve feelings of safety at night-time

2.33 As above, the experimental schemes have been implemented with minimal, temporary infrastructure. The replacement of the trial schemes with permanent schemes will enable the delivery of significant public realm improvements around the modal filter locations as well as at other locations in the neighbourhood where officers have been working with the community to co-produce street improvement designs. A phased approach to the delivery of permanent infrastructure will include the implementation of improvements at key locations alongside further public consultation on designs for the remaining modal filter locations and other spaces in 2022.

2.34 The phase 1 proposals for the Railton LTN, as illustrated in drawings number CP-19/20-LTN-ATLAN-0100-01, LPF-R-RR-GA- 01 and LPF-R-DR-GA- 01, attached as Appendix H to this report, are to introduce public realm improvements at the modal filter locations on Atlantic Road between Coldharbour Lane and Vining Street and at Dalberg Road j/w Jelf Road and Rattray Road j/w Jelf Road. The permanent schemes will use existing signage, with camera enforcement as necessary, and do not require any additional traffic orders / modification of the existing traffic order. Emergency Service vehicles will continue to be exempt from the restrictions.

2.35 In summary the works will comprise:

- Implementation of Sustainable Urban Drainage Systems to reduce drainage and flood risk
- Introducing footway build outs
- Carriageway and footway resurfacing
- Installation of permeable paving with seating and cycle facilities
- Improved controlled and uncontrolled crossing facilities
- All existing gullies within scheme extents will be cleaned and jetted as part of the works
- Pedestrian access including wheelchair chair user access will be maintained at all times

2.36 The intended effect of the works is to reinforce the modal filter restrictions, with greater visual deterrent to increase compliance and prevent unauthorised passage. The works will also provide a more attractive

public realm with place making features, enhancing the local area. Measures included will also improve safety, access and climate resilience.

2.37 As part of the recent public consultation (see Section 5), the Council has published its proposed Exemptions Policy for all current and future LTNs in the borough – see Appendix G. Exemptions are already in place as part of the experimental scheme covering Emergency Service vehicles, pedal cycles, buses and certain other vehicles carrying out statutory duties. In addition, there are a small number of cases where access to a property is restricted – for example where the property is within a ‘modal filter’ area – and exemptions cover these cases where vehicles would otherwise would not have access. These exemptions will remain in place.

2.38 In addition to the above, officers have identified the need for a limited range of dispensations for other users / vehicle types. Where a dispensation has been granted, the Council will not enforce the relevant LTN restriction. Dispensations are proposed for the following categories:

- Blue Badge holders including SEND transport
- Rapid response healthcare providers
- Category 1 Responders under the Civil Contingencies Act 2004
- Taxis and fully accessible private hire vehicles
- Refuse collection vehicles

2.39 A notable impact of allowing exemptions to the motor vehicles prohibited restriction is that non-compliance from non-exempt vehicles tends to increase where exemptions are available. Therefore, the safety risks and diminishment of scheme benefits due to increased non-compliant vehicle traffic are key considerations when determining whether exemptions should apply. Officers consider that the right balance has been struck between responding to the legitimate needs of certain groups and organisations for more direct access and scheme objectives to keep motor traffic flows below a level that will enable existing walking, wheeling and cycling trips to be made in comfort and safety and enable people who currently make short trips by car to consider sustainable modes as a viable alternative. No changes to the traffic orders are proposed, these ancillary dispensations will be exercised at the Council’s discretion.

3. FINANCE

3.1 Expenditure

The projected cost of the proposals, including the implementation of preliminary public realm works and development of further works and complementary measures in 2021/22 and 2022/23, is £813,600 as set out in Table 1 below.

Table 1: Cost Breakdown

| Item | Cost (£) |
|--|-----------------|
| Estimated construction of Dalberg Rd j/w Jelf Road | 76,000 |
| Estimated construction of Rattray Rd j/w Jelf Road | 102,000 |
| Estimated construction of Atlantic Road | 300,000 |
| Potential Stats Diversion | 100,000 |
| Traffic Management Order fees | 5,000 |
| Project Management & Staff fees | 35,000 |
| Construction phase contingency (20%) | 95,600 |
| Development of further public realm works and complementary measures | 100,000 |
| Total | 813,600 |

In addition to development and implementation costs, scheme maintenance must be considered. A higher than expected level of cost has been incurred in the maintenance of the experimental scheme, largely due to the need to replace infrastructure damaged as a result of vandalism of signs, cameras and planters around the modal filter locations.

3.2 Budget

The scheme is fully funded by the Sustainable Transport / Public Realm capital allocation agreed by Cabinet in July 2020. At the time of writing, grant funding from Transport for London has not been confirmed beyond December 2021 and is therefore currently not available for the implementation of this project.

3.3 Income

In order to maintain access for essential traffic, the scheme is camera enforced with Penalty Charge Notices (PCNs) issued to drivers of unauthorised vehicles passing through modal filter locations. Income generated is used to offset maintenance costs and if a surplus does arise this will be ring-fenced to offset the Council's highway and transport-related expenditure, including in the provision of support for sustainable transport measures to the scheme areas, in line with other PCN income.

4. LEGAL AND DEMOCRACY

- 4.1 The Council has, pursuant to Section 62 of the Highways Act 1980, a general power to improve any highway in its area. Section 75 of the Act extends a power to vary the relative widths of the carriageway and of any footway.
- 4.2 Restricting traffic from using part of the public highway requires the making of a traffic management order (TMO). The Council's powers to implement this are principally set out in the Road Traffic Regulation Act 1984 (RTRA) and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 Regulations.
- 4.3 The provisions of sections 9, 10, 124, Schedule 1 and Part IV of Schedule 9 of the RTRA and Regulations 23 and 24 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 provide the Council with the power to implement the changes proposed in this report. This legislation gives a local authority the power to make TMOs for the purpose of:
- a) designating on-street parking places and to charge for the use of such places;
 - b) imposing waiting and loading restrictions on vehicles of all or certain classes, at all times or otherwise;
 - c) 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
 - d) to vary or revoke an existing TMO for these purposes.
- 4.4 Paragraphs (a) to (g) of section 1(1) of the RTRA provides that the Council may make a TMO for any of the following purposes:
- 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).

4.5 By virtue of section 122 of the RTRA, the Council must exercise its functions under the RTRA 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 so as to preserve or improve amenity.
- c) the strategy prepared under section 80 of the Environment Act 1995 (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 Council 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. It has done so.

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,
- 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.

4.7 Section 16 of the Traffic Management Act 2004 imposes a duty on the Council to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to its other obligations, policies and objectives, to:

- a) Securing the expeditious movement of traffic on the authority's road network; and
- b) Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

4.8 Subject to the requirement set out in section 18 to have regard to statutory guidance on network management, under section 17 of the Traffic Management Act 2004 the Council as a network manager must have in place arrangements as it considers appropriate for carrying out its network management duty which must include provision for establishing processes for ensuring, so far as is reasonably practical, that the Council identifies occurrences, including future occurrences which are causing or may

cause road congestion or disruption to the movement of traffic, and consider possible action that can be taken in response to those occurrences.

- 4.9 Section 144 of the Greater London Authority Act 1999 requires the Council when exercising any of its functions to have regard to the Mayor of London’s transport strategy and any written guidance given to it. The current strategy emphasises the importance of reducing emissions and improving air quality and at page 101, under the heading, “Improving air quality and the environment” includes the following commentary:

“Policy 6

The Mayor, through TfL and the boroughs, and working with stakeholders, will take action to reduce emissions – in particular diesel emissions – from vehicles on London’s streets, to improve air quality and support London reaching compliance with UK and EU legal limits as soon as possible. Measures may include retrofitting vehicles with equipment to reduce emissions, promoting electrification, road charging, the imposition of parking charges/levies, responsible procurement, the making of traffic restrictions/regulations and local actions.”

The same document goes on to set out the expectation (at page 105) that:

“TfL and the boroughs....take targeted action and fulfil their statutory duties, including using tools such as road charges, differential parking charges, street closures and vehicle restrictions, tackling engine idling, promoting efficient driving, implementing electric vehicle charging infrastructure, and supporting zero emission car clubs (where appropriate)”.

- 4.10 The making of experimental traffic orders is governed by the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996. Regulation 6 of these Regulations specifies that in addition to the Chief Officer of the Police, the council is required to consult with the following before making an Experimental Traffic Order.

| Case | Consultee |
|--|---|
| Where the order relates to, or appears to the order making authority to be likely to affect traffic on, a road for which another authority is the highway authority or the traffic authority | The other authority |
| Where the order relates to, or appears to the order making authority to be likely to affect traffic on a road included in the route of a London bus service | London Buses |
| Where it appears to the authority that the order is likely to affect the passage of an ambulance | The chief officer of the appropriate NHS trust |
| Where it appears to the authority that the order is likely to affect the passage on any road of a fire-fighting vehicle | The chief officer of the fire brigade of the fire authority |
| All cases | The Freight Transport Association |

- 4.11 Regulation 23(2) of the 1996 Regulations provides that regulations 6 (consultation), 7 (notice of proposals) and 8 (objections) shall not apply to a permanent order where the requirements specified in paragraph 23 (3) have been complied with in relation to a relevant experimental order. The requirements in regulation 23(3) are:

- (a) the notice of making for the Experimental Traffic Order contains the statements specified in Schedule 5 of the Regulations, namely:

1. That the order making authority will be considering in due course whether the provisions of the experimental order should be continued in force indefinitely.
2. That within a period of six months -
 - (a) beginning with the day on which the experimental order came into force, or
 - (b) if that order is varied by another order or modified pursuant to section 10(2) of the 1984 Act, beginning with the day on which the variation or modification or the latest variation or modification came into force,any person may object to the making of an order for the purpose of such indefinite continuation.
3. That any such objection must -
 - (a) be in writing;
 - (b) state the grounds on which it is made; and
 - (c) be sent to an address specified for the purpose in the notice of making.

- (b) the deposited documents (including the documents referred to below in sub-paragraphs (c) and (e)) were kept available for inspection in accordance with Schedule 2 throughout the whole of the period specified in regulation 22(4);
- (c) the deposited documents included a statement of the order making authority's reasons for making the experimental order;
- (d) no variation or modification of the experimental order was made more than 12 months after the order was made; and
- (e) where the experimental order has been modified in accordance with section 10(2) of the 1984 Act, a statement of the effect of each such modification has been included with the deposited documents.

Paragraph 5 of the report details the Council's communication and consultation strategy with respect to this proposal.

The requirements of regulation 23(3) were met when making the Railton and St Matthews ETO.

- 4.12 As detailed above, the Regulations specify a statutory objection period where the Council wishes an experimental order to be replaced by a permanent traffic order. The regulations require that before deciding whether to make the provisions of the ETO permanent, the Council must take account of any representations made within six months of it coming into force or, if it is modified, within 6 months of that modification coming into force. All material objections received must be properly considered by the decision maker in light of administrative law principles, human rights law and the relevant statutory powers. 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.
- 4.13 Section 121B of the RTRA provides that no London Borough can exercise any power under that act which will affect, or likely to affect a GLA road, a strategic road or a neighbouring borough road unless the Council has given notice to Transport for London or where relevant the other borough and the proposal has been approved in the case of a GLA road, by Transport for London, or where relevant the other borough concerned or one month has passed without an objection being received from the relevant body.

- 4.14 Section 149 of the Equality Act 2010 sets out the public sector equality duty. The public sector equality duty requires public authorities to have due regard to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the 2010 Act;
 - b) Advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - c) Foster good relations between those who share a protected characteristic and those who do not.

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 public sector equality duty must be discharged 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 should not seek to discharge the public sector equality duty after a decision has been taken.
- 4.16 In November 2020 a disabled resident within the Railton and St Matthew’s Road LTN launched a statutory challenge to that and four other LTNs within the borough, claiming amongst other matters that the Council had failed to have due regard to its public sector equality duty. Following a hearing on the 13 and 14 of June 2021 a High Court judge dismissed the challenge, finding that in the circumstances that the Council found itself in during October 2020 (the urgency expressed in the statutory guidance, the near stasis of public transport and the need to restrain vehicle traffic in residential areas to allow walking and cycling to flourish) the Council had met its duty to have regard to its public sector equality duty. The Claimants have obtained leave to appeal this court decision solely in respect of whether the Council had breached its public sector equality duty in making the experimental traffic orders, which appeal will be determined by the Court of Appeal on 13 January 2022.
- 4.17 In addition to the above, Section 175A of the Highways Act 1980 imposes a specific duty upon local authorities to have regard to the needs of disabled and blind persons in the execution of certain street works (namely the placing of lamp-posts, bollards, traffic signs, apparatus or other permanent obstructions) which may impede the mobility of such persons. Consideration of this duty and the Council’s public sector equality duty are discussed in paragraph 7 below.
- 4.18 The council, as a public body, is under a duty to consider whether the exercise of its powers interferes with rights protected by the European Convention, set out in the Human Rights Act 1998. The Convention rights applicable are:
- a) Article 1 of the First Protocol - protects the right of everyone to the peaceful enjoyment of their possessions. No one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. This does not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest etc.
 - b) Article 8 - protects the right of the individual to respect for their private and family life, their home and their correspondence. There should be no interference by a public authority with the exercise

of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of amongst other matters, public safety, the economic well-being of the country, for the prevention of disorder or crime, for the protection of health, or for the protection of the rights and freedoms of others.

- c) Article 14 – provides that the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

4.19 Any interference with a Convention right must be necessary and proportionate and in pursuing the traffic order, the council has to consider carefully the balance to be struck between individual rights and the wider public interest.

4.20 This proposed key decision was entered in the Forward Plan on 08 November 2021 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.

1. CONSULTATION AND CO-PRODUCTION

Non-statutory consultation

5.1 The Lambeth Transport Strategy and TSIP 2019 provide the policy basis for Low Traffic Neighbourhoods in Lambeth. The Strategy achieved a high level of support from stakeholders following comprehensive engagement and consultation. Responses to the consultation showed that four out of five people agreed with the principle that we should encourage people to walk, cycle and use public transport rather than travel by car.

5.2 Between 2019 and 2020 Lambeth's Transport team engaged the local community in the Brixton area as part of the TfL funded Brixton Liveable Neighbourhood (BLN) project which included the Railton and St Matthew's areas. The BLN project aimed to realise the potential Brixton has for safe walking, wheeling, and cycling while improving air quality, reducing road danger, reducing congestion, supporting local businesses and providing for the growth in jobs and homes planned for the area. The main issues identified by people responding to the engagement were speeding and 'rat running' vehicles and the most popular response was 'Less-car, no through traffic / resident only'. See Appendix F for details. As part of the BLN engagement officers also engaged with some 200+ local businesses and other stakeholders.

5.3 There is no statutory requirement to consult the public on experimental traffic schemes, except to take into account responses submitted in the 6-month statutory period post-implementation. That being said, officers and members have engaged with the local community throughout the process, listening to differing views on the schemes and seeking to respond to suggestions and comments in order to improve them, gather information on equalities impacts and develop mitigations. Initially, due to Covid-19 restrictions, face to face engagement opportunities were limited, but information was provided to affected residents in advance of scheme implementation by letter and electronic media. Direct line contact phone numbers were prominently displayed on street and maps showing the scheme and how access routes

were affected were distributed. Online meetings open to all have been held regularly. In addition to ongoing engagement, the Council has carried out a non-statutory public consultation on the schemes with a duration of five weeks. As well as promoting an on-line survey, officers have held on-street events to accept the feedback of local people, answer questions about the project, and enable people without access to the internet or who needed additional support to respond to the survey. Focused engagement activities have been held with Transport for All to gather feedback from a range of disability organisation as well as disabled residents in the borough. This activity and the findings of the engagement are detailed in the Consultation Report at Appendix E.

- 5.4 Despite resource pressures and the constraints imposed by Covid-19, officers have strived to include the community in the design process for the LTNs. The Council has established a dedicated Community Street Design Team the purpose of which is to enable local people to get involved in how their streets look, feel and operate. The team devised and ran an innovative design competition for the Railton and St Matthew's area, working with both target groups who are typically under-represented in the design of public space – younger people for example – and the wider community. Community inspired designs have now been selected to be taken forward for implementation (subject to a separate decision) in order to complement the traffic scheme and enhance the local area.
- 5.5 As part of public consultation a number of public realm schemes have been presented for comment and these will now be progressed to detailed design and implementation. Public realm improvements have been designed to have environmental and place making benefits and to incorporate feedback received, for example around the greening of streets.
- 5.6 The schemes have generally been well received, with 53.8% of all respondents to the on-line survey considering that they represent a positive change to the local area.
- 5.7 To complement the on-line survey and to ensure that responses are representative of the community as a whole the Council has also commissioned market research asking the same questions to a representative sample of the local community. This research also shows general support for the schemes, consistent with the survey.

Statutory Consultation

- 5.8 As part of the traffic order process, consultation took place with statutory consultees, including emergency services, prior to the making of the experimental traffic orders underpinning the scheme.
- 5.9 During the post-implementation statutory period relating to the experimental traffic orders a number of representations, including objections, have been received and recorded.
- 5.10 In total 70 objections were received to the Railton and St Matthew's traffic orders within the statutory period ('in time'). A further 29 objections were received outside this period. In addition to these scheme specific objections, since the traffic orders came into effect a further 1,036 representations have been made which oppose LTNs in general. The Objection Report at Appendix A summarises all 'in time', scheme specific objections by theme, with a recommended officer response to each theme.
- 5.11 The most common reason given for 'in time' objections was an observed increase in traffic on boundary and other roads nearby the scheme area and, related to this, concerns about air quality and noise impacts and related health issues. Increased journey times for residents and concerns about emergency service response times were also key issues identified. Principal themes and responses are summarised

in Table 2 below. For all themes identified a detailed officer response and recommendation to accept / not accept has been provided in the Objection Report at Appendix A.

Table 2: Objection Themes and Responses – Summary of often cited issues

| Objection Theme | Response |
|---|---|
| Increased traffic flows on boundary roads | While some increases in traffic volumes have been recorded on boundary roads, the overall objective of the scheme, as set out in the Monitoring Strategy, has been met. It is considered that complementary measures planned for the surrounding network can mitigate any negative impacts recorded. The Council will continue to monitor the performance of the road network and seek to manage this to best effect in line with its statutory duties and adopted policies. |
| Traffic impacts exacerbated by road works | Officers work proactively to manage planned and unplanned disruption to the network as a result of street works, minimising impacts and co-ordinating work streams wherever possible. LTNs are designed to be resilient to temporary changes to the road network as a result of street works and procedures have been put in place to flag in advance any interventions that may cause disruption to LTN access routes. For unplanned works, officers are responsive to immediate issues that arise and will work with the relevant contractors and local stakeholders to minimise any negative impacts as far as possible. |
| Increase in pollution | <p>The LTN is expected to have had some localised impact on air quality, with some roads benefiting such as Railton Road, Dulwich Road, the western part of Shakespeare Road and the eastern part of Coldharbour Lane and others seeing a small, modelled increase in emissions such as the western part of Coldharbour Lane near Atlantic Road.</p> <p>Noise levels relating to motor vehicles are expected to be linked to changes in traffic volume and composition, with the majority of roads within the scheme area anticipated to see an improvement. On some roads where volumes have increased and / or composition of traffic has changed, there may be some increase in noise at certain times. LTNs are part of the Council's wider strategy to reduce motor traffic across the borough, which is ultimately expected to result in improvements to both air quality and noise disturbance on all roads.</p> |

| | |
|--|--|
| <p>Potential increase in vehicle journey time/cost for residents</p> | <p>Whilst in some cases there may be increased journey times for some trips by motor vehicle following the launch of schemes of this nature, there are also other factors that need to be considered when assessing traffic impacts, such as road works and the impacts of the COVID-19 pandemic on travel behaviour.</p> <p>LTNs are part of a wider Council strategy to reduce motor traffic levels and promote a shift to more sustainable modes, particularly for shorter trips that many people can make by foot or cycle. LTNs will encourage a modal shift away from motorised vehicles and reduce car usage, including on boundary roads. This would free up road capacity for journeys that have to be made by motorised vehicles.</p> <p>The proposed approach to dispensations recognises that for some groups travel by motor vehicle is necessary and makes allowance for this.</p> |
| <p>Impact on Emergency Service response times</p> | <p>Emergency services have not expressed any significant concerns in relation to the schemes and response times. The schemes have been designed without physical barriers to allow access at all times.</p> |

5.12 In summary, officers consider that the majority of objections are not supported by objective evidence collected as part of scheme monitoring, or are not sufficiently impactful to override the scheme benefits overall considering the Council's adopted policies that support the promotion of non-car modes. Therefore the recommendation is that these objections provide insufficient grounds for not progressing permanent orders. Some specific objections highlight areas of reasonable community concern, e.g., night-time safety, and it is proposed that these should be addressed by proposed scheme improvements as summarised in 2.32 above.

2. RISK MANAGEMENT

6.1 The main risks associated with the proposals detailed in this report are summarised in the table below, along with the proposed mitigation

| Risk | Likelihood | Impact | Score | Mitigation |
|--|------------|--------|-------|---|
| That the scheme disproportionately disbenefits a group with protected characteristics. | 2 | 4 | 8 | Extensive equalities analysis and engagement with disabled people and representative groups has been carried out. No significant negative impacts have been identified for protected groups. The proposed approach to dispensations has been designed to respond to reported issues and needs. The Council will sponsor a user reference group to capture the views of equalities groups going forward. |
| The level of objections received to the scheme and number of respondents to the consultation who oppose the scheme undermines legitimacy | 2 | 3 | 6 | Officers will continue to engage with the community to address any concerns and provide opportunities for local people to get involved in the design of public realm improvements to their areas. A number of area wide traffic reduction schemes have been implemented in the borough in previous years and officers are not in receipt of requests to remove these. |
| Increased traffic on boundary roads has an adverse impact on health and wellbeing | 2 | 4 | 8 | Monitoring data shows only a small number of locations of concern and mitigation measures can be brought forward to address these. |
| That the measures will negatively impact emergency response times. | 1 | 4 | 4 | The emergency services have been consulted and have not reported any significant concerns. The permanent scheme will continue to allow access for authorised vehicles |
| That the restrictions negatively impact operations for businesses within the scope area | 2 | 4 | 8 | Officers will continue to work to support local businesses through the transition to a low car environment and ensure that essential access is maintained. An improved public realm is expected to increase footfall and custom. |
| Negative impact to community and council reputation due to issuing PCNs for enforcement. | 2 | 4 | 8 | The permanent scheme will consider any signage improvements to raise awareness of the restrictions. The vast majority of PCNs are issued to drivers registered outside of the borough. Revenue from the PCNs is to be re-invested in the transport service, targeting LTN areas. |

| | | | | |
|---|---|---|---|--|
| Scheme cost escalation / delay to delivery timescales | 2 | 2 | 4 | Early contractor engagement and use of standard materials, design around underground utilities. Regular progress monitoring and reporting. |
|---|---|---|---|--|

| Likelihood | Impact | | | |
|-------------------|-----------|-----------------|-------------|-----------|
| | Minor (1) | Significant (2) | Serious (4) | Major (8) |
| Very likely (4) | 4 | 8 | 16 | 32 |
| Likely (3) | 3 | 6 | 12 | 24 |
| Unlikely (2) | 2 | 4 | 8 | 16 |
| Very Unlikely (1) | 1 | 2 | 4 | 8 |

7 EQUALITIES IMPACT ASSESSMENT

- 7.1 In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, the Public Sector Equality Duty has been discharged with respect to the relevant protected characteristics (age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation).
- 7.2 The Transport Strategy and TSIP 2019 was subject to a full Equalities Impact Assessment (EqIA). This identified broadly positive impacts on protected groups.
- 7.3 Evaluation of equalities impacts has been ongoing, including before the experimental schemes were implemented. A scheme equalities impact assessment was conducted in August 2020 and revised at subsequent project stages. The latest assessment does not identify any significant equalities impacts for the proposed changes.
- 7.4 Positive impacts are identified for children and older people, although the latter may also be more dependent on private cars and were less likely to consider the schemes positively. The schemes were found to have a potential benefit for disabled people in helping to deliver a more equitable street environment, but also a potentially negative impact for those reliant of driving / being driven, as discussed below. Positive impacts relating to health were identified in the form of walking and cycling benefits, but increased stress relating to confusion and more traffic on some streets is considered to have a potentially negative impact. Some healthcare providers reported longer journey times and this is considered by the proposed approach to dispensations – see below. Scheme related environmental improvements were assessed to have a benefit in terms of Pregnancy and Maternity, although again there were some potential negative impacts were identified on supporting service response times. In terms of Race and Ethnicity, positive impacts were identified due to reduced exposure to transport related harmful impacts, but potential disbenefits in terms of servicing of businesses. In terms of Sex, benefits were identified for women who are less likely to have access to a car and more likely to have safety concerns about cycling. On the other hand, reported feelings of insecurity / personal safety were identified as negative impacts. In terms of socio economic status, low income households were considered to benefit as they are more reliant on non-car modes. Evidence was identified that an improved environment for walking, cycling and public transport was likely to benefit local businesses, but as above longer routes for servicing were identified as a negative impact. The full assessment describing equalities impacts and mitigations is attached to this report as Appendix B.

- 7.5 In developing the scheme EqIA, officers have carefully considered the considerable amount of feedback received during the engagement process described in Section 5. In particular, specific feedback has been received from disabled people and this has been incorporated into the EqIA and consideration of the need for dispensations. Building on feedback received directly from disabled people, the Council has worked with the charity Transport for All to help gain a more in depth appreciation of the travel needs of disabled people and how they may be impacted by LTNs and this is set out in the assessment.
- 7.6 The Council's proposed approach to dispensations, described in Section 2, is rooted in an acceptance that, for some disabled people, travel by motor vehicle is an essential need. The proposal is that disabled people who hold Blue Badges should be eligible to receive a dispensation to drive, or be driven through a specified modal filter. Through analysis of feedback received and assessment of journey time differentials for a range of identified and potential trips, officers have concluded that a significant impact on journey times, which may have a disproportionately negative impact for some disabled people, is only likely to occur for relatively short journeys. Further analysis suggests that journeys of this type may be frequent and regular, often repeated trips to the same location, for healthcare purposes for example.
- 7.7 For longer trips, across the borough for example, any journey time differential resulting from the LTN scheme is not assessed as being significant. By allowing Blue Badge holders (living anywhere in the borough) to receive a dispensation to allow them to pass through a specific modal filter it is considered that the journey time penalty for some shorter journeys by car can be alleviated. A broader dispensation, for example from all modal filters in all LTNs, has been considered, but granting a significant level of exemptions and dispensations has the potential to undermine the legibility of the schemes and encourage greater levels of non-compliance as well as having potential safety impacts. The limited dispensation proposed is considered to address the needs identified through the EqIA process, however this will be kept under review. A registration process for users who wish to benefit from a dispensation is a necessary requirement given that Blue Badge holders cannot be immediately identified by vehicle type or registration. Officers will work with disabled groups to ensure that this process is easily accessible, and that appropriate support is provided where necessary.
- 7.8 Again, rooted in the equalities analysis carried out a dispensation is proposed for taxis and fully accessible private hire vehicles. This is in recognition of the important role these services can provide as a valuable mobility option for disabled people. The availability of taxi services can also help address concerns about personal safety that have been expressed during scheme engagement. As requested by the taxi trade, the dispensation will be applied in cases where modal filters allow bus services to pass through, as is the case for the filters on Railton and Atlantic Road that are part of the Railton LTN.
- 7.9 As well as proposing a dispensation for individual Blue Badge holders, this will also be available to organisations which hold a Blue Badge, SEND transport providers for example. This dispensation will cover all LTN restrictions across the borough given that these vehicles need to traverse back and forth to multiple locations where service users are located.
- 7.10 Feedback from disabled people and representative groups has also highlighted the pressing need to make streets and spaces more accessible so that the benefits of LTNs can be shared by all. Walking is the most common mode for disabled Londoners³. Disabled people are less likely to have access to a car than the general population and therefore more likely to depend on walking, wheeling or cycling to make essential trips. LTNs have the potential to improve the everyday experience of disabled people significantly, but only if the street environment is made fully accessible to them. Officers have worked

³ <http://content.tfl.gov.uk/travel-in-london-understanding-our-diverse-communities-2019.pdf>

together with Transport for All to conduct street audits of the scheme area in order to identify defects and priorities for improvement.

- 7.11 The EqlA also identifies a range of other mitigations / improvements, including continuing community involvement in street design, further monitoring, improved communications, improvements to boundary roads and support for behaviour change to active travel modes.
- 7.12 Through the extensive engagement and analysis carried out into potential equalities impacts of these schemes, the Council has identified the need to enable and support a reference group of users with protected characteristics who can be called upon to provide early and ongoing input to not only transport and public realm schemes, but also wider council activities affecting the built environment.

8 COMMUNITY SAFETY

- 8.1 Section 17 (s17) of the Crime and Disorder Act 1998 imposes a general duty on local authorities as follows: "Without prejudice to any other obligations imposed upon it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of the exercise of those functions, on and the need to do all it reasonably can to prevent crime, disorder and substance misuse in its area". Compliance with the requirements of s17 may therefore include a twofold consideration i.e. having due regard to the likely effect of a decision on crime and disorder and doing all it "reasonably" can to prevent crime and disorder. Successive surveys have shown that the level of crime in the borough is the number one concern of residents. It is essential therefore that opportunity for crime and anti-social behaviour is prevented.
- 8.2 In order to ensure that responses to emergencies are not hindered by any increase in journey length or duration, the proposed approach to dispensations includes Category 1 Responders under the Civil Contingencies Act 2004.
- 8.3 The underlying objective of a low traffic neighbourhood is to create a healthier and safer environment in which to live and travel. The specific traffic management measures implemented have been developed in consultation with the police and the Council's 'Safer Streets' team. Collaboration is ongoing with Council services such as Community Safety and Regeneration in order to deliver balanced outcomes that help people feel safer in general and not just from the danger of vehicle traffic.
- 8.4 More people may be encouraged to walk and cycle if they perceive these ways of travelling to be safe, bringing environmental and health benefits. Road safety interventions can unite communities by making roads more like places and less like routes and promote social inclusion. Recent academic research suggests a correlation between reduced traffic in LTN areas and a reduction in traffic related casualties, particularly pedestrian casualties – see Section 2.
- 8.5 As discussed in Section 5, a number of representations, including objections to the traffic orders, have been submitted to the Council with reference to the impact of LTNs on personal safety. Some respondents have reported that quieter streets as a result of low levels of motor traffic have led to increased feelings of insecurity / actual safety. While evidence suggests LTNs result in a reduction in street crime⁴ and officers consider that LTNs are likely to have increased 'passive surveillance' overall due to measured increases in cycling and expected increases in walking levels, on-street personal safety is a serious matter of wider community concern and officers will investigate the potential for targeted improvements, lighting upgrades for example. A key principle of LTNs is that residents should feel a

⁴ [The Impact of Introducing a Low Traffic Neighbourhood on Street Crime, in Waltham Forest, London | Published in Findings \(findingspress.org\)](#)

sense of ownership and pride in their neighbourhood and involving the community in the design of street improvements as discussed in Section 5 will be important in understanding feelings of insecurity and how these can properly be addressed.

- 8.6 Officers have followed guidance provided by the Council's Counter Terrorism and Security Advisor in the development of public realm scheme designs and will incorporate any specific feedback received as part of the detailed design process.

9 ORGANISATIONAL IMPLICATIONS

9.1 Environmental

The proposed measures are expected to deliver environmental improvements by ensuring that traffic levels in neighbourhood areas are not excessive and that more people are able to choose non-polluting modes of travel. Associated public realm works are also expected to deliver environmental benefits, for example in the provision of Sustainable Urban Drainage (rain gardens) and bio-diverse planting.

A full Strategic Environmental Assessment was carried out for the Transport Strategy and Implementation Plan which includes Low Traffic Neighbourhoods. The SEA Environmental Report concluded that no significant adverse environmental effects would result from the implementation of the Strategy. As such, no specific recommendations for the mitigation of effects were required. All the effects identified were either considered to have no impact or to be positive.

In creating an environment which enables active travel and discourages use of motor vehicles, the scheme objectives are strongly aligned to the Lambeth Air Quality Action Plan, the Health and Wellbeing Strategy and the 2019 Cabinet resolution relating to the climate emergency. Since private transport comprises a large portion of the UK's energy consumption and carbon emissions (direct and embedded in manufacture), reducing private vehicle ownership and use on a wide scale is an essential adaptive measure. The proposals encourage alternative modes of low carbon transport such as walking, wheeling, scooting, and cycling that could support a significant borough wide reduction in private vehicle use.

In restricting how drivers and motorcyclists can access the highway network, some local journeys that are made using these means of travel may take longer, thereby increasing those journeys' carbon footprint and amount of pollution. Overall, however, monitoring of the schemes has shown a reduction in motor traffic volumes across the affected areas and this reduction is considered to offset any increase in the length of existing trips. Once the schemes become established it is expected that behaviour changes will result in further reductions in car ownership and use leading to increased environmental benefits.

Low Traffic Neighbourhoods are an important part of a wider strategy to reduce the level of motor traffic in the borough as expressed in the Transport Strategy. Some increase in traffic on adjacent roads, mainly classified roads, has been recorded as part of monitoring of the LTN schemes and a strategic demand management and fleet upgrade approach is required to ensure that any environmental impacts on roads which are designed to carry more traffic are mitigated. Officers are working closely with TfL and other partners to promote and enable a switch to cleaner vehicles, the provision of better facilities for walking, cycling and buses on key corridors and other initiatives that can reduce demand for travel by motor vehicles.

9.2 Staffing and accommodation

None arising from this report's recommendations

9.3 Responsible Procurement

None arising from this report; all goods and services will be provided by the Council's existing supply chains.

9.4 Health

Protecting public health is at the heart of the proposals. In addition to improving air quality in the neighbourhood scope area where motor vehicle traffic is reduced, physical and mental health benefits are expected for those who increase their daily physical exercise via active travel. LTNs are expected to help the borough achieve Mayor's Transport Strategy objective of increasing the proportion of residents doing at least two x 10 minutes of active travel a day.

At a small number of locations where traffic volumes have increased air pollution concentrations are also modelled to have increased, which may have local negative health impacts for some people. The assessment carried out however does not identify any significant air quality impacts at sensitive locations following the implementation of the LTN schemes. Within the LTN and on some boundary roads air quality has improved. Officers have identified suitable improvement measures to tackle locations where traffic volume increases have been recorded and the delivery of these will be accompanied by continued scheme monitoring.

9.5 Corporate Parenting

None arising from this report's recommendations.

Quality apprenticeships, targeted employment for Lambeth Residents and Lambeth Priority Group

None arising from this report's recommendations.

Reduce emissions: Lambeth Council has a commitment to being Zero Carbon by 2030

See paragraph 9.1

Single Use Plastics

None arising from this report's recommendations.

Positive Health and Wellbeing

See paragraph 9.4

Other Offers (innovation)

None arising from this report's recommendations

10. TIMETABLE FOR IMPLEMENTATION

10.1 The table below details the stages and deadlines for implementing the recommendations.

Table 3: Timetable

| Activity | Proposed Date |
|---------------------------------|----------------------|
| Date published on Forward Plan | 08.11.21 |
| Publication on Decisions online | 10.12.21 |
| Decision Date | 20.12.21 |
| End of Call-in Period | 29.12.21 |
| Implementation Date | 30.12.21 |

| Audit trail | | | | |
|--|--|------------------|--------------------------|--------------------------|
| Consultation | | | | |
| Name/Position | Lambeth directorate/division or partner | Date Sent | Date Received | Comments in para: |
| Cllr Dr Mahamed Hashi | Cabinet Member Sustainable Transport, Environment and Clean Air | 06.12.21 | 09.12.21 | |
| Cllr Danny Adilypour | Cabinet Member Sustainable Transport, Environment and Clean Air | 06.12.21 | 06.12.21 | |
| Bayo Dosunmu, Strategic Director of Resident Services | Resident Services | 02.12.21 | 03.12.21 | |
| Sara Waller & Eleanor Purser Co-Strategic Directors – Sustainable Growth and Opportunity | Sustainable Growth and Opportunity | 15.11.21 | 18.11.21 | 2 |
| Rob Bristow Director of Planning, Transport and Sustainability | Sustainable Growth and Opportunity | 15.11.21 | | |
| Sandra Roebuck, Director for Infrastructure and Capital delivery | Resident Services | 15.11.21 | 16.11.21 | 2 |
| Hannah Jameson, AD for Sustainable Development and Climate Change Response | Sustainable Growth and Opportunity | 15.11.21 | 15.11.21 | 2 |
| Neil Fenton, AD Parking, Street Management & Commercial | Resident Services | 15.11.21 | 22.11.21 | 2,5 |
| Venetia Reid-Baptiste, Director Environment and Streetscene | Resident Services | 15.11.21 | 02.12.21 | |
| Russell Trewartha Head of Programmes – Capital Programme for Public Realm | Resident Services | 15.11.21 | 29.11.21 | 3,5 |
| Matthew Gaynor, AD Finance, Capital Planning and Major Projects | Resident Services | 15.11.21 | 29.11.21 | 3 |

| | | | | |
|-----------------------------------|----------------------|----------|----------|---|
| Gregory Carson, Legal Services | Corporate Resources | 15.11.21 | 25.11.21 | 4 |
| Maria Burton, Democratic Services | Legal and Governance | 15.11.21 | 16.11.21 | 4 |

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|---|--|
| Report history | |
| Original discussion with Cabinet Member | 08.06.2021 |
| Part II Exempt from Disclosure/confidential accompanying report? | No |
| Key decision report | Yes |
| Date first appeared on forward plan | 08.11.21 |
| Key decision reasons | Expenditure, income or savings in excess of £500,000, and Meets community impact test |
| Background information | <p>Transport Strategy and TSIP Transport Strategy Transport Strategy Consultation Report Consultation Report TSIP Low Traffic Neighbourhood Plan LTN Plan TSIP Healthy Route Plan Healthy Routes Transport Covid Programme CMDR LTN Monitoring Strategy Monitoring Strategy Transport Strategy Equalities Impact Assessment: EqIA Traffic Management Act: Covid 19 Guidance Capital Investment Programme: CIP July 2020 Experimental Scheme Decision Report London Streetscape Plan ODDR</p> |
| Appendices | <p>Appendix A: Objection Report Appendix B: Equality Impact Assessment Appendix C: Traffic Impact Assessment Appendix D: Air Quality Assessment Appendix E: Consultation Report Appendix F: Brixton Liveable Neighbourhood Appendix G: Exemptions Policy Appendix H: Public Realm Proposals</p> |

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| | Appendix I: Traffic Orders Appendix J: LTN Monitoring Strategy |
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APPROVAL BY CABINET MEMBER IN ACCORDANCE WITH SCHEME OF DELEGATION

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

Signature: _____ **Date:** _____

Post: Simon Phillips, Head of Transport Strategy and Programmes

I approve the above recommendations:

Signature: _____ **Date:** _____

Post: Cllr Dr Mahamed Hashi, Cabinet Member for Sustainable Transport, Environment and Clean Air

Any declarations of interest (or exemptions granted): None

Any conflicts of interest: None

Any dispensations: None