

COMMITTEE Cabinet	DATE 2 nd December 2009	CLASSIFICATION Unrestricted	REPORT NO. (CAB 086/090)	AGENDA ITEM NO.
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REPORT OF Corporate Director (Communities, Localities & Culture)	TITLE Mayor for London's Cycle Revolution
ORIGINATING OFFICER(S) Ashraf Ali, Project Manager Sustainable Initiatives Transportation & Highways	Wards Affected: All

1.0 SUMMARY

- 1.1 The Mayor for London is progressing two key initiatives as part of his cycle Revolution for London. Both the London Cycle Hire Scheme and the Cycle Superhighways affect this borough and required the cooperation of the Council in their delivery.
- 1.2 This report appraises Members of the local details of the schemes and seeks approval to enter into an arrangement for the joint exercise of powers under section of 101 of the Local Government Act 1972 with Transport for London (TfL) to enable the installation of elements of these schemes.

2.0 RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 Note the proposals and ambitious timetables for the delivery of the TfL London Cycle Hire scheme & Cycle Superhighways scheme.
- 2.2 Authorise the Corporate Director Communities, Localities & Culture to approve an agreement between the Council and TfL for the joint exercise of functions to make temporary and permanent traffic regulation orders in respect of borough highways to facilitate the implementation and operation of the London Cycle Hire Scheme including the making of orders under sections 6 and 45 and the exercise of the powers in section 63 of that Act.
- 2.3 Note that the Council will enter into agreements with TfL pursuant to section 8 of the Highways Act 1980 in respect of works associated with the London Cycle

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)
LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT

Brief description of background paper	Name and telephone number of holder and address where open to inspection
Way to Go – Mayor for London	R Finch x2541

3.0 BACKGROUND

- 3.1 In May, the Mayor for London launched the Cycle Revolution for London. He aims to increase cycling substantially in the next few years following his own personal commitment to using that mode. The two key new initiatives which he is proposing to implement rapidly are the Cycle Hire Scheme and the Cycle Superhighways. Both will have a direct impact on this borough and speedy implementation is dependent on the Council's cooperation.
- 3.2 The Council's own sustainable transport strategy places a priority on encouraging cycling, both as a sustainable alternative to the private car and as an active and healthy form of transport. A more detailed Cycle Strategy is currently in preparation providing a modal basis for the proposals in the Core Strategy. There are however concerns over potential conflict between cyclists and pedestrians as well as road safety risks to cyclists: it is therefore vital that the Council's key messages clearly promote responsible cycling and cycle training programmes are a key element of this strategy. The Mayor's strategic cycle infrastructure proposals would complement this strategy.

4.0 The Cycle Hire Scheme

- 4.1 The Mayor intends to launch a new cycle hire scheme in central London by May 2010. Following the example of the scheme in Paris, approximately 6,000 bicycles and 10,200 docking points will be introduced at around 400 docking stations in central London. Users will be required to register to join the scheme prior to their first use, and pay a joining fee as well as a fee for each use in accordance with the tariff proposed by TfL. The scheme will enable users to hire a bicycle from a docking station in central London and leave it at another docking station at or close to their destination. The scheme will be designed to encourage users to make short journeys, typically less than 30 minutes, thereby enabling each bicycle to be used several times a day.
- 4.2 The scheme will be introduced in an area of central London covering approximately 44 km², covering all of the City of London and part of the following London Boroughs: Camden, Hackney, Islington, Kensington & Chelsea, Lambeth, Southwark, Tower Hamlets, and Westminster. The zone is currently proposed to extend as far east as Whitechapel, but officers are also encouraging TfL to extend the scheme eastwards to the Olympic Park at the earliest opportunity.
- 4.3 Approximately 15 docking stations are proposed in Tower Hamlets, each being approximately 25m long. Officers have worked with TfL to identify suitable locations, protecting parking bays so far as possible and restricting obstruction to pedestrians where footways are used. Each site will be the subject of a planning application, thus ensuring that wider issues can be addressed during consultation. As a result of this two of the original Cycle Hire Locations were refused and alternative locations are being discussed with TfL. The sites originally proposed are:-

Site	Address	Location	length	No of bikes
Commercial Road	Adjacent to 41-71 Commercial Road	Footway	17*2	20
Vaughan Way	Adjacent to Trinity Tower, Vaughan Way	Carriageway	21.5*2	28
Brushfield St (Planning approval REFUSED)	OPP 32-40 Brushfield Street	Footway	14*2 and 12*2	32
Lamb St (Planning approval REFUSED)	OPP 13-14 Lamb Street	Carriageway	15*2	20
Sclater Street	Bethnal Green rd junction of Wheeler St	Footway	19*2	23
Brick Lane North	50m South of Grimsby Street	Carriageway	20*2	24
Tower Hill		Footway		
Fashion Street	Adjacent to 26 Fashion Street			
Wapping High St	Opp 1 Wapping High St	footway		
Leman St		footway		
Commercial St Housing Office	OPP 28 Commercial St	Footway	24*1.4	20
Whitechapel Road x New Road	New Road	Footway	26*2	32
Whitechapel Road B	Adjacent to 179-185 Whitechapel Road	Footway	8*2 9*2 and 8*2	30
Mansell Street		Footway		
Whitechapel Road	O/S The London Hospital, Whitechapel Road	Footway	15*2	17

(Borough roads are in bold)

- 4.4 TfL intend to be directly responsible for the implementation of the entire scheme in order to maximise control over delivery with a clear deadline of May 2010 for commencement of the scheme. Where work is required to take place on borough roads, TfL are seeking to enter into a Section 101(5) agreement under Local Government Act 1972 as well as a Section 8 Agreement under the Highways Act 1980. Whilst delegated approval for the latter already exists allowing officers to agree that TfL carry out agreed traffic related works on borough highways, legal officers have advised that Cabinet approval will be required to enable TfL to exercise jointly with the Council the power in Section 63 of the Road Traffic Regulation Act 1984 to install the Cycle Hire terminals, as no delegated powers currently exist. Cabinet is therefore recommended to delegate authority as proposed in the recommendations to the report.

5.0 The Cycle Superhighways Scheme

- 5.1 The Mayor for London also announced in May that he plans to introduce 12 Cycle Superhighways across London by 2012, with an ambitious target to introduce two of them by May 2010. These are intended to be fast, direct routes attractive to confident commuter cyclists and new cyclists like and it is proposed that they are distinguished from other cycle routes by being surfaced in blue. The introduction of each route will be accompanied by an

extensive programme of cycle awareness activities at both the work and home end of trips using the links, with a potential budget of over £2m per route, activities will include training, buddy rides, promotional materials, etc. This element of the scheme has the potential to complement the Council's existing healthy towns initiative.

5.2 Two routes are proposed in Tower Hamlets:

- One of the pilot routes is planned to use the existing route from Tower Hill via Cable Street, Narrow Street, Poplar High Street, East India Dock Estate and thence the A13 to Canning Town and on to Barking. This is due to be opened by May 2010. (See Appendix One)
- Another route to be implemented by 2012 is proposed along the A11. In principle, this ties in very well with the vision for High Street 2012 and officers are seeking to encourage TfL to introduce this route as quickly as possible.

5.3 Officers have identified a number of issues in the use of the existing cycle route for the pilot which we are working closely with TfL to resolve:

- The proposed pilot route uses existing cycle routes in entirety and could be seen as a re-badging of a facility introduced by the Council;
- The segregated route on Cable Street is of very high quality, but the rest of the route through the borough is less direct and cyclists are not protected from traffic due to restricted road width and parking demand / servicing activity.
- In Poplar High Street there are serious conflicts with pedestrians and the Mayor recently had a well-publicised near miss on Narrow Street.
- The route is dependent on private property at East India Dock and increased use of the existing link through St James Gardens could increase conflicts between cyclists and park users.
- While this route has a high level of dedicated infrastructure and has been in place for more than 10 years, cycling numbers are relatively low in comparison to the other pilot routes from Wimbledon to Bank which has little in the way of cycling infrastructure but a very heavy use.

5.4 Having discussed the route with the London Cycling Campaign, officers have recommended to TfL that a much better higher standard, fast route could be provided by continuing lanes along the A13 between Leamouth and Cable Street. It is however noted that it would not be possible to deliver this alternative the launch date of May 2010. Since TfL need a Section 8 agreement to enable them to carry out works on borough highways, officers are seeking an agreement that TfL develop feasibility studies and detailed designs for an A13 schemes, to be delivered in the longer term, before agreeing that the existing Poplar High St / Narrow Street link be enhanced as part of the pilot scheme. Cabinet Members are recommended to ratify this approach.

6.0 Conclusion

- 6.1 In conclusion, the Mayor's strategic cycle initiatives are welcome as a major contribution to enhancing facilities for cyclists and encouraging active, sustainable lifestyles. However, the local detail of elements of each scheme need to be given full and proper consideration before reaching agreement with TfL that their proposals can be implemented.

7.0 COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 There are no financial implications for the Council as a result of the proposals as TfL will be directly responsible for implementation of all highways works and will fund all costs. TfL have also agreed to reimburse the Council in respect of costs reasonably incurred by the Borough in the preparatory phases and may enter into agreements for delivery of supporting measures such as training and cycle awareness initiatives as well as future maintenance.

8.0 CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 8.1 Cabinet is asked to authorise entry into an agreement with Transport for London ("TfL") for an arrangement under section 101(5) of the Local Government Act 1972 ("the 1972 Act") to facilitate the Mayor for London's proposed London cycle hire scheme.
- 8.2 The Council has power under Part IV of the Road Traffic Regulation Act 1984 ("the 1984 Act") to provide off-street parking places (section 32) and to designate paying parking places on highways (section 45). Section 63 of the 1984 Act expressly extends the Council's power to provide parking places to the provision, in roads or elsewhere, of stands, racks or devices for securing bicycles or motorcycles. This is an executive function and it is this function which is proposed to be the subject of an arrangement with TfL.
- 8.3 Pursuant to section 101(5) of the 1972 Act, two or more local authorities may discharge any of their functions jointly. There are exceptions in respect of functions the responsibility of the executive under executive arrangements, but provision may be made under section 20 of the Local Government Act 2000 ("the 2000 Act") to permit such arrangements. The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 ("the Discharge Regulations") make provision permitting joint exercise of executive functions.
- 8.4 TfL was established as a corporate entity by section 154 of the Greater London Authority Act 1999. TfL does not fall within the general definitions of local authority for the purposes of section 101 of the 1972 Act and section 20 of the 2000 Act. However, by virtue of paragraph 9(1) of Schedule 10 to the Greater London Authority Act 1999, TfL is treated as a local authority for the purposes of section 101(5) of the 1972 Act. This means that the Council may jointly discharge its functions with TfL, but the power in section 101(1) of the 1972 Act to simply delegate the Council's functions to another local authority do not apply.

- 8.5 A typical arrangement for joint exercise of functions involves the establishment of a joint committee of the authorities, with each authority appointing a member or members to the joint committee in accordance with the provisions of the Discharge Regulations. In addition to the establishment of a joint committee, local authorities can agree that a joint function will be discharged by an officer of one of the authorities involved in the joint arrangement. This route is being proposed in the present situation with an officer of TfL being appointed to exercise the joint function under the legal agreement being entered into.
- 8.6 Regulation 4 of the Discharge Regulations specifies that where the functions that are to be the subject of an arrangement for joint exercise are allocated to the executive by executive arrangements, then the power to make arrangements reside with the executive.
- 8.7 Cabinet has power pursuant to section 14 of the Local Government Act 2000, to authorise the Corporate Director to approve an agreement.

9.0 EQUAL OPPORTUNITY IMPLICATIONS

- 9.1 An Access Assessment will be considered for all the TfL London Cycle Hire scheme Docking Station locations to ensure that the needs of disabled pedestrians are taken into account.

10.0 ANTI-POVERTY IMPLICATIONS

- 10.1 The encouragement of low cost sustainable transport options such as Walking and Cycling, and the removal of barriers to use by improving accessibility and designing out crime, support anti-poverty objectives and help to increase social inclusion.

11.0 SUSTAINABLE ACTION FOR GREENER ENVIRONMENT IMPLICATIONS

- 11.1 The implementation of TfL London Cycle Hire and Superhighway schemes will directly help promote healthier lifestyles and tackle climate change. Promotional activities will complement that Borough's Healthy Towns initiative and will support current policies to improve the local environment by encouraging travel by foot or cycle rather than the private car.

12.0 RISK MANAGEMENT IMPLICATIONS

- 12.1 TfL will carry out risk plans and CDM regulations regarding Health & Safety and all necessary requirements will be followed on both schemes.

13.0 EFFICIENCY STATEMENT

- 13.1 The scheme will be delivered by TfL through competitive tendering process which will assess value for money and any efficiency in the management and administration aspects.

Appendix One: Tower Hamlets Section of Pilot Cycle Superhighway

