

Cabinet 3 November 2015	 TOWER HAMLETS
Report of: Melanie Clay, Corporate Director for Law, Probity and Governance	Classification: Unrestricted
Scrutiny Challenge Session – Improving Cycling Safety	

Lead Member	Cllr Ayas Miah, Cabinet Member for Environment
Originating Officer(s)	Shamima Khatun, Corporate Strategy and Equality
Wards affected	ALL
Community Plan Theme	A Safe and Supportive Community
Key Decision?	No

Executive Summary

This paper submits the report and recommendations of the Overview & Scrutiny Committee's (OSC) challenge session into improving cycling safety. It also provides the draft action plan prepared in response to these recommendations.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider this report of the scrutiny working group and agree the action plan in response to the challenge session recommendations.

1. REASONS FOR THE DECISIONS

- 1.1 In recent years, cycling has grown in popularity for both work and pleasure. The Government aims to make cycling a more convenient, attractive and realistic choice for short journeys, especially those made to and from work and school. It cites the need to reduce congestion, improve health outcomes and create more pleasant places to live as key issues that cycling can help address.
- 1.2 However, as cycle usage has grown, the potential for conflict with other road users including motorists and pedestrians, together with the overall safety of cyclists, has become an area of increasing concern.
- 1.3 Recognising the mounting concern over road safety for cyclists in the borough, particularly given the rise in fatalities on busy arterial roads and the importance of cycling as a viable means of increasing physical activity, the committee felt it was important to devote a challenge session to examining these issues.

2. ALTERNATIVE OPTIONS

- 2.1 To take no action and continue with existing arrangements for improving cycling safety. This is not recommended. The proposed response supports the Best Value duty and aims to secure improvement, informed by consideration of economy, efficiency and effectiveness. A timetable for delivering the recommendations has also been agreed by officers. The action plan is outlined in Appendix Three.
- 2.2 To agree some, but not all, recommendations. All of the recommendations are achievable and propose that existing partnerships be utilised to enforce safety measures and develop engineering interventions.

3. DETAILS OF THE REPORT

- 3.1 The scrutiny challenge session was chaired by Cllr John Pierce, former Vice-chair of Overview and Scrutiny and took place on Thursday 29th January 2015.
- 3.2 The challenge session focused on assessing all transport interventions and policy in relation to cycle safety and drew on good practice from partners and other local authorities in London.
- 3.3 The session also sought to identify causes of cyclists' safety concerns and barriers preventing people from cycling more frequently or at all, and was underpinned by three core questions:
 - a) What has been the general response to date from cyclists in the borough to the measures introduced both in terms of training and infrastructure improvements?

- b) What further cost-effective measures can the council implement to improve cycle safety?
- c) What issues/areas of concern do cyclists want the council to address specifically that have not already been acknowledged in the London Cycling Campaign ward asks for Tower Hamlets?

3.4 The report of the challenge session is attached as Appendix One. It provides a summary of the findings of the Review Group and makes ten recommendations to improve practice in this area:

Recommendation 1:

The council produces an enhanced plan for cycling in Tower Hamlets to ensure that the borough is at the forefront of this agenda.

Recommendation 2:

The council explores the costs and feasibility of the provision of secure cycle parking across the borough.

Recommendation 3:

The council works with local schools and Sustrans to incorporate route plans proposed by young people into the enhanced plan for cycling in Tower Hamlets as part of the consultation process.

Recommendation 4:

Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.

Recommendation 5:

The council imposes a 20mph speed limit on all residential and borough roads and the council should work with the police to ensure that 20mph is enforced.

Recommendation 6:

The council publicises annual spend on its cycling agenda.

Recommendation 7:

The council consults residents and ward members on the London Cycling Campaign's proposal to keep the road to the south of Victoria Park open for longer and explore ways to influence the park's statutory opening hours.

Recommendation 8:

The development of a cycle friendly borough is treated as a priority by the council.

Recommendation 9:

The council better influences developers to provide greater cycle parking facilities for their developments.

Recommendation 10:

The council works with TfL to roll out more cycle specific signals across the borough.

- 3.5 Attached as Appendix Three is the proposed action plan prepared by officers in response to the report and recommendations of the Overview and Scrutiny Committee.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 The report details in section 3.4 ten recommendations for Cabinet to consider and agree the action plan. It is likely that some of those recommendations can be delivered through existing resources. However, where additional funding is required, these costs will need to be quantified and the necessary funding identified before the recommendations can be implemented.

5. LEGAL COMMENTS

- 5.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework that the Scrutiny Challenge Session Report and recommendations in it be submitted to the Mayor's Advisory Board and then to Cabinet for consideration.
- 5.2 This report provides details of an Overview and Scrutiny challenge session and subsequent report titled "Improving Cycling Safety Scrutiny Challenge Session Report" which was agreed by the Overview and Scrutiny Committee and which made a number of recommendations.
- 5.3 The recommendations in the plan appear to be capable of being carried out within the Council's powers although it is noted that recommendations 4 and 7 are not agreed by officers for the reasons as set out in the Action Plan. With regards to the recommendations and proposed actions, the following matters should be noted.
- 5.4 **R1. The council produces an enhanced plan for cycling in Tower Hamlets to ensure that the borough is at the forefront of this agenda.**
- 5.5 It is noted that in respect of this recommendation, the action plan states that a "Revised Cycle Strategy to be produced for public consultation and approval by the end of the year."

- 5.6 Pursuant to section 145 of the Greater London Authority Act 1999 (the 1999 Act) boroughs are required to produce a Local Implementation Plan (LIP) setting out their priorities and associated proposals to deliver a better transport system within the borough. This needs to be in the wider context of the Mayor's Transport Strategy (MTS) for London and other local policy documents. The Council has published its second LIP reflecting the revised MTS goals, and local priorities. The Cycle Strategy is one of the supporting strategies that LIP and the review of this strategy is in accordance with the Council's statutory duties.
- 5.7 A separate report in respect of this Strategy is due to be submitted to the Mayor's Advisory Board.
- 5.8 **R4. Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.**
- 5.9 In 2014 Transport for London (TfL), together with London Councils, decided to progress the proposal for a safer lorry scheme. Statutory consultation on a Traffic Regulation Order (TRO) to implement a scheme took place in November 2014 and on 29th January 2015 TfL made the "GLA 2015 no. 11 – the GLA Roads and GLA Side Roads (London Safer Lorry Scheme) (Restriction of Goods Vehicles) Traffic Order 2015. This TRO came into force on 1st September 2015.
- 5.10 The TRO ensures that only lorries with basic safety equipment fitted will be allowed on London's roads. Under London's scheme, most vehicles that would be currently exempt from national legislation for basic safety equipment will have to be retrofitted. This includes construction vehicles.
- 5.11 The proposed FORS Scheme is voluntary. It is more extensive than the TRO but care must be taken with any commitment to the Safer Lorries Safer Cycling scheme, to ensure that the Council continues to comply with its legal obligations in relation to public procurement. Any selection criteria for haulage contracts must be objective, related to the subject matter of the procurement and non-discriminatory. The Council must also act proportionately. A commitment to only contract with haulage companies who have signed up to the FORS scheme would not meet these requirements. However a requirement that any non-FORS registered Companies to take up FORS registration if awarded the contract would meet the Council's legal obligations in respect of procurement.
- 5.12 **R5. The council imposes a 20mph speed limit on all residential and borough roads and the council should work with the police to ensure that 20mph is enforced.**
- 5.13 On 4th February 2015, Cabinet agreed to proceed with the implementation of a 20mph limit on all Tower Hamlets roads other than red routes pursuant to an experimental traffic order which shall take

effect for a period not exceeding 18 months. The start date for this order was 13 April 2015.

- 5.14 **R7. The council consults residents and ward members on the London Cycling Campaign's proposal to keep the road to the south of Victoria Park open for longer and explore ways to influence the park's statutory opening hours.**
- 5.15 On 24th October 2013 the London Borough of Tower Hamlets Byelaws for Pleasure Grounds, Public Walks and Open Spaces came into operation and pursuant to those Byelaws, the opening hours for Victoria Park are from dawn till dusk. If the opening hours of the park are extended to allow cycling then these Byelaws would require amendment.
- 5.16 In its consideration of the Scrutiny Challenge Scrutiny Report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). There is some information in the report relevant to these considerations in paragraph 6 below.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Fear of traffic is a key barrier to cycling for many people. Providing attractive, safe and convenient cycling infrastructure will remove key obstacles to cycling for all sections of the community, in particular women, children, older people and those with disabilities. All of these groups are currently under-represented among cyclists in the borough.
- 6.2 As real and perceived danger from traffic is reduced, cycling will become a realistic mode of travel for all, increasing opportunities to access jobs, training, services and leisure opportunities. Many of our residents face financial constraints. Cycling is much more widely accessible than private car ownership in that it is relatively inexpensive to access, yet provides similar benefits of flexible point to point travel.
- 6.3 Making cycling genuinely safe and welcoming for all sections of the community will increase opportunities for regular physical activity, social interaction and leisure, with known positive impacts on physical and mental health and wellbeing.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 Cycle infrastructure schemes and the introduction of traffic management measures can be difficult to integrate into the surrounding environment. Any scheme should ensure that it is designed so as to fit into the character and surroundings of the area affected both as a whole and in the individual elements of the scheme.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 There are no direct risk management implications arising from the report or recommendations.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no direct crime and disorder reduction implications arising from the report or recommendations.

10. BEST VALUE IMPLICATIONS

- 10.1 The Scrutiny Challenge Session supports the Best Value duty by setting out a number of recommendations which aim to secure improvement, informed by consideration of economy, efficiency and effectiveness. For example, the report recommends that the council publicises annual spend on its cycling agenda.

11. CONCLUSIONS

- 11.1 Cabinet is recommended to agree the action plan contained as Appendix Three, which responds to the challenge session's recommendations.

Appendix 1 – Scrutiny Challenge Session Report: Improving Cycling Safety

Appendix 2 – London Cycling Campaign Ward Asks for Tower Hamlets

Appendix 3 – Action Plan