


<p>Non-Executive Report of the: Overview and Scrutiny Committee</p> <p>26th October 2016</p>	 TOWER HAMLETS
<p>Report of: Melanie Clay, Director of Law, Probity and Governance Will Tuckley, Chief Executive</p>	<p>Classification: Unrestricted</p>
<p>Challenge Session Progress Update – Improving Cycling Safety</p>	

Originating Officer(s)	<p>Roy Ormsby, Service Head – Public Realm</p> <p>Sharon Godman, Service Head – Corporate Strategy and Equality</p> <p>Shamima Khatun; Strategy, Policy and Performance Officer</p>
Wards affected	All

Summary

This report follows up from the scrutiny challenge session on improving cycling safety. The report and recommendations were agreed by the Overview and Scrutiny Committee in April 2015. An action plan was developed to address the recommendations, and the report and accompanying action plan were endorsed by Cabinet in November 2015. This report reviews the progress against the original recommendations.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Note the progress of the recommendations from the scrutiny challenge session.

1. DETAILS OF THE REPORT

1.1 The aim of the challenge session, led by Councillor John Pierce, was to help identify cost effective measures that can be implemented to improve cycling safety.

1.2 The report (Appendix One) made ten recommendations. These are set out in the tables below, along with service comments on them at the time, and actions in response. Below these are updates from the relevant services on progress against the recommendations.

1.3

Recommendation 1	Service comment at action planning stage	Action
The council produces an enhanced plan for cycling in Tower Hamlets to ensure that the borough is at the forefront of this agenda.	Agreed	Revised Cycle Strategy to be produced for public consultation and approval by the end of the year.

1.4 Update from service: A new Cycle Strategy was developed and approved by Cabinet on 5th January 2016. Progress is now being made on implementing those actions and a first year report on delivery is planned.

1.5

Recommendation 2	Service comment at action planning stage	Action
The council explores the costs and feasibility of the provision of secure cycle parking across the borough.	<p>Ongoing. The council responds to all requests for cycle parking received and proactively installs new facilities in streetscene improvement schemes, as well as requiring similar in new developments. In 2014-15 we installed a total of 136 cycle parking spaces (60 on street spaces and 76 secure residential cycle parking).</p> <p>It is worth noting that we have had more requests for cycle parking this year than any other year – submitted directly from www.towerhamlets.gov.uk/cycling and an increasing number of requests for on street Bike Hangars making use of existing parking bays.</p>	<p>We are anticipating installing 202 cycle parking spaces in 2015-16 (60 on street spaces and 142 residential cycle parking spaces).</p> <p>We are also exploring with colleagues in the Parking team more innovative parking facilities such as “car bike port” (car shaped 10 space bicycle stands) at 2 locations in the Shoreditch area – Calvert Avenue and Club Row.</p>

	Note also that competitive rates for parking facilities are sought through seeking quotes from suppliers and monitoring catalogue prices.	
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1.6 Update from service: The installation of cycling parking continues across the borough using competitive quotes from suppliers: Standard Sheffield stands are provided in response to specific requests and in 2016/17 we expect to deliver 85 new on-street spaces in total, 50 per cent already having been delivered. In addition we expect to deliver 124 residential cycle parking spaces on housing estates: this total includes three sites for residents secure parking lockers in parking bays which are being progressed for imminent installation (Driffield, Louisa Street and Chisenhale Road) as well as one already introduced on Vyner Street. Three sites for car-shaped cycle ports have been identified to demonstrate how many more cyclists' trips than car trips can be accommodated within one car park bay. The first site to be introduced will be at Old Nicholl Street.

1.7

Recommendation 3	Service comment at action planning stage	Action
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.	Agreed	This has already been commenced in the Stepney area and will be integrated into the strategy (Rec 1) – but the roll-out to other school areas will be dependent on funding availability.

1.8 Update from service: Funding has been secured to implement the SUSTRANS Cycle to School Partnership proposals in the Stepney area later in the current financial year and design work is progressing.

1.9

Recommendation 4	Service comment at action planning stage	Action
Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.	Not agreed. A relevant clause is already included in corporate contracts. However, in the present LCC form of wording, any tenderer who is not already FORS registered would need to be discounted from competition: this limits the council's ability to secure value for money	N/A This is probably now time-expired since Safer Lorries Legislation came into force in September 2015.

	<p>through competition.</p> <p>The council has offered to sign the Pledge with a minor change to the wording to ensure that it can be delivered legally without compromising procurement processes. If the wording is changed to ensure that contractors are required to take up FORS registration, then the competitive process would be improved and continuous improvement on cycle safety could be delivered through contract management and KPIs.</p>	
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1.10

Recommendation 5	Service comment at action planning stage	Action
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.	<p>The speed limit is being tested for 18 months from 13 April 2015, all signage has been implemented and an on-going publicity and awareness campaign commenced in July 2015.</p> <p>Regular liaison meetings with the Police review priority sites for enforcement action.</p>	Review effectiveness for consideration of making the experimental order permanent.

1.11

Update from service: In September 2016, Cabinet agreed to make the borough wide 20mph limit permanent which has been implemented as of the end of the month. Work is now proceeding to review all traffic calming measures and redesign key streets with the objective of designing streets such that 20mph is the natural speed at which to drive. An area-wide review of traffic management in Stepney is the first area to go forward to public consultation; this started on 29th September.

Joint work with the Police has increased the level of speed enforcement, particularly focused on ASB driving, and the Police have helped to coordinate some Community Speedwatch events.

1.12

Recommendation 6	Service comment at action planning stage	Action
The council publicises annual spend on its cycling agenda.	Agreed	This is included in the annual Capital Programme report and can be set out further in the Strategy. However,

		the Strategy will review this area as a one-off.
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1.13 Update from service: A first year report on delivery of the Cycle Strategy is in the forward programme for the end of the financial year in addition to projects being included in the Capital Programme reports. The total funding available for Highways works in the borough is as follows:

- TfL Local Implementation Plan - £2.827million p.a. which must be allocated to schemes that comply with the criteria set out by the Mayor for London.
- Section 106 / Community Infrastructure Levy (CIL) development schemes: £2.379m in total approved by Planning and Contributions Overview Panel (PCOP) previously and ring-fenced to specific schemes identified within relevant planning applications. £2.503m in total ring-fenced to specific schemes identified within relevant planning applications and awaiting approval by the Infrastructure Board.

In addition, a modest revenue budget of £198,600 is available for reactive traffic management schemes.

It is difficult to disaggregate these works into cycling schemes and other works as the design of the majority of traffic improvements takes cycling into consideration. Therefore, although spend may not be specifically on a “cycle route” for instance, the introduction of area-wide traffic calming in an area, or a junction redesign, may include provision for advisory cycle lanes or cycle permeability, as well as benefits for cyclists from slower average speeds.

1.14

Recommendation 7	Service comment at action planning stage	Action
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.	Before any consultation can take place, the Head of Parks needs to be satisfied that the proposal is feasible in terms of costs and risks.	Carry out a more detailed feasibility study into the costs and benefits of providing a secure after dark cycle route within the southern perimeter of Victoria Park to enable a more informed judgement to be made on whether to pursue this proposal or not.

1.15 Update from service: Old Ford Road as a well-lit maintained public highway, has a 20 MPH speed limit. The park has no lighting therefore raises a number of Health & Safety concerns along with security implications should the park remain open in darkness for cycle commuting. The council’s Street Lighting Engineer has carried out a detailed cost analysis. Using the Measured Term Contract¹ to carry out the trenching and install the

¹ Refers to the existing street lighting contract which includes a regular programme of minor and maintenance works undertaken by the contractor

necessary light columns and supply pillars along the proposed cycle commuter route within the park will cost in the region **£221,635.18**.

There are a number of other health and safety issues that make the proposal for longer opening hours high risk. Therefore members will be recommended to reject the use of the park as an extended cycle commuter route during the hours of darkness as there is a maintained highway currently in use that can accommodate all forms of transport.

1.16

Recommendation 8	Service comment at action planning stage	Action
The development of a cycle friendly borough is treated as a priority by the council.	Agreed	This will be supported by the adoption of the revised Cycle Strategy. Cllr David Chesterton has been nominated as the Members' Cycling Champion to further reflect this prioritisation.

1.17 Update from service: Cllr Chesterton has been extremely proactive in fulfilling this role, acting as a figure head for championing cyclists' points of view and chairing regular meetings with The Wheelers to develop relationships with stakeholders. Cllr Chesterton takes an active role in reviewing designs and formally presented the Cycle Strategy to Cabinet.

1.18

Recommendation 9	Service comment at action planning stage	Action
The council better influences developers to provide greater cycle parking facilities for their developments.	Already in hand	The council applies recommended cycle parking standards and is reviewing these standards as part of the Local Plan review. The target date for public consultation on this review is January 2016.

1.19 Update from service: This is already in hand as the Highways Development Team review every planning application to ensure it contains the level of long stay and short stay cycle parking specified in the London Plan and that the quality of the cycle parking meets the Council's Local Plan requirements for it to be safe, secure, accessible and convenient and in line with guidance

contained in the London Cycling Design Standards. (Specifically DM22 of the Managing Development Document 2013). The next Local Plan family of documents may develop these policies further but this work is at early stage of development at present.

1.20

Recommendation 10	Service comment at action planning stage	Action
The council works with TfL to roll out more cycle specific signals across the borough.	Already in hand subject to funding availability	The need for more cycle friendly signals would be considered where appropriate as route reviews are implemented or new routes developed.

1.21 Update from service: The design of cycle improvements incorporates signal designs where relevant. No isolated cycle signal schemes have been identified for delivery as yet.

2. COMMENTS OF THE CHIEF FINANCIAL OFFICER

2.1 The report details in section 1 the ten recommendations and action plan agreed by Cabinet in 2015. It is likely that some of those recommendations can be delivered through existing funding resources allocated by Transport for London (TfL). There will be significant competing demands for funding and therefore the strategy will form an important justification to support funding requests for cycling projects along with development of a Cycling Delivery Plan.

2.2 Where additional funding is required, these costs will need to be quantified and considered as part of the Council's Medium Term Financial Strategy before the recommendations can be implemented.

3. LEGAL COMMENTS

3.1 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 is reviewed by Overview and Scrutiny to check progress with the actions..

3.2 The recommendations in the plan were all capable of being carried out within the Council's powers although recommendations 4 and 7 were 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.

- 3.3 **R4. Support for the 'Safer Lorries Safer Cycling' scheme is the policy of the council and the council should now sign the pledge.**
- 3.4 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.
- 3.5 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.
- 3.6 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.
- 3.7 **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.**
- 3.8 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.
- 3.9 **R9. The council better influences developers to provide greater cycle parking facilities for their developments.**
- 3.10 Whilst it appears that the target date for public consultation being January 2016 was not met, the review of the Local Plan is not undertaken by the Highways Development Team but by the Plan Making Team in Strategic Planning and which is part of the Planning and Building Control Section. The first stage of public consultation for a new Local Plan on the Council's proposed approach as set out in "**Our Borough, Our Plan: A new Local Plan first steps**" commenced in December 2015 and has now closed. Therefore, public consultation did take place by the target date.
- 3.11 In its consideration of this report, 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 4 below.

4. ONE TOWER HAMLETS CONSIDERATIONS

- 4.1 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.
- 4.2 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.
- 4.3 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.

5. BEST VALUE (BV) IMPLICATIONS

- 5.1 The recommendations in the original report were made as part of the Overview & Scrutiny Committee's role in helping to secure continuous improvement for the council, as required under its Best Value duty. Reviewing progress on these is a key element in achieving them.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 6.1 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.

7. RISK MANAGEMENT IMPLICATIONS

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

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 8.1 There are no direct implications of crime and disorder as a result of the recommendations of this review.

9. SAFEGUARDING IMPLICATIONS

- 9.1 There are no direct implications of safeguarding as a result of the recommendations in this review.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- **Appendix 1** – Scrutiny Challenge Session Report: Improving Cycling Safety

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

N/A