

<p><b>Cabinet</b></p> <p>26 February 2020</p>	
<p><b>Report of:</b> Ann Sutcliffe – Corporate Director, Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Wapping, Liveable Streets</b></p>	

<b>Lead Member</b>	<b>Mayor John Biggs</b>
<b>Originating Officer(s)</b>	Dan Jones, Divisional Director, Place Chris Harrison, Programme Director
<b>Wards affected</b>	St Katharine's and Wapping
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	17 January 2020
<b>Reason for Key Decision</b>	Financial Threshold
<b>Strategic Plan Priority / Outcome</b>	<b>Priority 2 – A borough that our residents are proud of and love to live in.</b> <b>Priority 3 – A dynamic, outcomes-based council using digital innovation and partnership working to respond to the changing needs of our borough.</b>

### **Executive Summary**

On Wednesday 30 October 2019 Cabinet approved the Liveable Streets programme, governance and delivery plan for 17 project areas.

The Liveable Streets programme will make fundamental improvements to roadway infrastructure, open spaces and encourage sustainable travel behaviour for residents, businesses and visitors to Tower Hamlets.

Through an online engagement forum, community meetings, co-design workshops, and liaison with Ward Councillors, the Liveable Streets team created a series of proposals to carry out improvements in the Wapping area. These proposals were presented to the Wapping community for comment through a public consultation from Monday 18 November to Monday 16 December 2019.

The consultation attracted over 600 responses. All the proposals gained broad public support, with the majority of all responses falling into 'supportive' or 'very supportive' categories. Various alternatives were suggested through the consultation period which have been considered by the project team and recommended, where feasible.

This report details the results of the public consultation, the alternatives considered and the reasons why they have or have not been included, seeks approval on the

final design and outlines the next steps.

## **Recommendations:**

For the reasons set out in this report, and having regard to the Council's public sector equality duty The Mayor in Cabinet is recommended to:

1. Receive and conscientiously consider the results of the engagement to date and public consultation of Wapping Liveable Streets.
2. Approve the final scheme design for the Wapping area as part of the Liveable Streets programme (Appendix B).
3. Approve the use of using existing frameworks or term contracts to award an order up to a value of £1.1 million for the completion of the works.

## **1 REASONS FOR THE DECISIONS**

- 1.1 This project will make fundamental improvements to infrastructure on the street, public spaces and change the travel behaviour of residents, businesses and visitors to the Wapping area. These changes seek to address the following known issues in the area:
  - Poor pedestrian access to and from public transport links
  - Lack of sufficiently wide footways and dropped kerbs, providing a barrier to walking particularly for the mobility impaired or those with pushchairs
  - Speeding traffic and anti-social driving
  - Anti-social behaviour, drug dealing and crime, particularly near green spaces on Wapping High Street and near the Station
- 1.2 An extensive engagement process has been undertaken over the past nine months involving residents, businesses, emergency services and internal council services. The outcome of this extensive engagement process shows overall support for the proposals.
- 1.3 As part of the 30 October 2019 Cabinet approval, the decision making for the Liveable Streets programme is:
  - Under £250k – decision to be made by Divisional Director, Public Realm.
  - Over £250k-below £1 million – Decision to be made by Divisional Director, Public Realm in consultation with the Mayor and Lead Member.
  - Over £1 million or significant impact on two or more wards – decision to cabinet for political decision.
- 1.4 Due to the estimated spend of over £1.1 million this is for Mayor in Cabinet.

## **2 ALTERNATIVE OPTIONS**

- 2.1 Through the public consultation, we have received suggestions and alternative proposals which have been assessed by the project team for viability and alignment with the Liveable Streets objectives. These options and recommendations can be found in Appendix E.
- 2.2 The key alternative proposals that have not been included are:
- Providing an additional closure at the southern end of Clegg Street
  - Removal of further parking spaces along Wapping High Street to improve vehicle flow
  - Relocating cycle hire parking from Wapping Lane to Wapping Dock Street
  - Extending Pennington Street one way from Artichoke Hill to Wapping Lane.
- 2.3 In summary, these options would not help to achieve the aims of the Liveable Streets programme; and/or further encourage people to travel on foot, by bike and on public transport.

## **3 DETAILS OF THE REPORT**

### **Engagement and consultation**

- 3.1 Starting in April 2019, Tower Hamlets council has been undertaking an extensive engagement process in the Wapping area. This has included the following (a full report can be found in Appendix C):
- 3.1.1 Early engagement to obtain information about people's travel habits, key issues in the area and suggestions for improvement. This engagement was carried out using an online survey, interactive map, drop-in sessions and meetings with groups in the community. A walkabout was carried out with Ward Councillors. Leaflets were delivered to the area, and over 100 stakeholder emails were sent. Over 130 residents responded.
- 3.1.2 In July and September 2019, three co-design workshops took place with over 35 attendees. The attendees were presented with plans showing suggestions to improve the area and tackle issues based on feedback from residents, businesses, schools and other stakeholders during early engagement. The workshops consisted of two exercises, the first focussed on traffic management through the area; past schools and residential properties. The suggestions put forward took into consideration the impact of the Wapping bus gateway reducing rat-running along Wapping High Street. The second exercise focussed on improving the pedestrian environment, accessibility to public transport and public spaces. Attendees were asked to feedback on the suggestions presented to further develop the designs to the desires and needs of the community.

3.1.3 Throughout the engagement period, we met with council departments and reached out to emergency service and Safer Neighbourhood Team contacts.

3.1.4 A public consultation exercise was carried out from Monday 18 November 2019 to Monday 16 December 2019. Consultation packs were delivered to over 7,500 properties within consultation area, with extra copies made available at key community locations and schools. There were social media tweets and emails were sent to those on the Wapping Liveable Streets mailing list on Monday 18 November 2019. Two drop-in sessions were well attended (over 60 residents) on Tuesday 4 December and Saturday 7 December 2019. The sessions provided the opportunity for attendees to review the proposals with the engineers and discuss any changes which may be desired. The project team visited every business in the impacted areas of Wapping Lane and Wapping High Street and handed out posters to display in the shops.

### **Proposals**

3.2 The proposals seek to improve the area for walking, cycling and public transport, improve air quality and help to discourage through-traffic and anti-social behaviour.

3.3 The final design proposals can be seen on the map in Appendix B. The objectives are to be achieved through a combination of footway improvements, road closures, improvement of shared public spaces, greening and safety improvements. The key elements of the final scheme are:

- Widening and decluttering footways, as well as providing continuous crossings on Wapping Lane between Wapping High Street and Chandler Street
- Closure of Wapping Dock Street at the southern end of the road in order to provide a zebra crossing outside Wapping Station
- Widening of the footway on the southern side of Wapping High Street between Wapping Wall and Pier Head
- Closure on Hermitage Wall between Hellings Street and Lilley Close to provide a safe crossing location from Hermitage Primary School to Hellings Street open space
- Section of one-way road (with contraflow cycling provision) on Pennington Street between Virginia Street and Artichoke Hill
- Parking changes on Wapping High Street

3.4 The key elements that have changed through the consultation are:

- More cycle parking on Wapping Lane with the removal of guard railing.
- Additional indented loading bay on Wapping High Street.

### **Consultation Results and Final Design**

3.5 Over the four week consultation period we received 642 responses to the consultation. This included:

- 614 residents

- 2 business
- 8 visitors
- 8 working in the area
- 10 not stated/other

Overall, 512 responses were received from within the consultation area. A breakdown of each question is provided in Appendix D, Consultation Results. The results from those responding from within the area showed 75% were supportive of the scheme, 8% unsupportive and 17% neutral or don't know.

Communications will be sent to all respondents to the consultation and those living in the area informing them of the outcome.

### **Finance**

- 3.6 The funding of the Wapping area is to be split over two financial years of 2019/20 and 2020/21.
- 3.7 The total cost of the scheme is estimated at £1.1 million. Capital Investment in the Liveable Streets programme will be required for the financial year 2020/21. Further funding is being identified within the TfL local implementation fund and S106 monies.
- 3.8 The procurement of works and service will be carried out using existing frameworks or term contracts which have already received council approval.
- 3.9 Detailed design will take place after cabinet approval on all proposals with works to start in summer 2020.

### **Governance**

- 3.10 As part of the Cabinet decision on Wednesday 30 October 2019, the decision making for the Liveable Streets programme is:
- Under £250k – decision to be made by Divisional Director, Public Realm
  - Over £250k-below £1 million – Decision to be made by Divisional Director, Public Realm in consultation with the Mayor and Lead Member
  - Over £1 million or significant impact on two or more wards – decision to cabinet for political decision

## **4 EQUALITIES IMPLICATIONS**

- 4.1 The Wapping project would provide enhanced opportunities for vulnerable road users, with one of the main objectives of making it safer and easier to walk and cycle within the borough. An Equalities Assessment has been conducted by the council and can be seen in Appendix F. This must be considered in detail when the Cabinet considers the matters above, as part of its decision on whether the Wapping Liveable Streets proposals should be approved.

## **5 OTHER STATUTORY IMPLICATIONS**

- 5.1 Many of the proposals will require changes to the highway and therefore traffic regulation orders will need to be advertised and made. These will be advertised and consulted on in accordance with the Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996, or the Road Traffic (Temporary Restrictions) Procedure Regulations 1992 in respect of temporary orders.
- 5.2 As part of the design we shall consider Section 17 of the crime and disorder act 1998, to ensure that we do all that it reasonably can to mitigate the impacts of crime and disorder, substance misuse and reoffending.

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 The cost of completing the planned Liveable Streets works for St Katherine's and Wapping is £1.1m. This expenditure is capital in nature and will form part of the liveable streets capital programme for 2020/21.
- 6.2 A total of £6.401m has been allocated within the capital programme for Liveable Streets in 2020/21. It is planned to fund these works from £1m CIL income and £5.401m capital receipts. The St Katherine's & Wapping scheme expenditure will be spent against this allocation.
- 6.3 At present it is not anticipated to borrow to fund the St Katherine's & Wapping programme, If this were to change when the capital programme is reviewed then there would be a revenue implication and in such a case resources would need to be identified to cover this revenue cost before borrowing these monies.

## **7 COMMENTS OF LEGAL SERVICES**

- 7.1 The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996, or the Road Traffic (Temporary Restrictions) Procedure Regulations 1992( in respect of temporary orders) sets out the legal process to be satisfied when making traffic orders. The legal procedure includes provision for calling a Public Inquiry where appropriate. The Road Traffic Regulation Act 1984 section 1, 6 and Schedule 1 sets out the purposes for which a Road Traffic Regulation Order may be made. Legal services will provide advice in relation to each such Order at the time that they are proposed to be made.
- 7.2 This report seeks the authority of Cabinet to receive the results of the engagement and consultation exercise undertaken to date in respect of the Wapping Liveable Streets programme set out in paragraph 3.1.4 and evidenced in Appendix C, and to approve the final scheme design. Further, Cabinet is asked to approve the use of using existing frameworks or term contracts to award an order to finance the completion of the works.

- 7.3 The common law provides that a public body must adopt a fair procedure to decision-making to ensure that members of the public, affected by a potentially adverse decision, are given a fair and informed opportunity to make representations and provide their comments before the decision comes into effect. If a public body embarks on a consultation procedure, the outcome of which may be to deprive someone of a benefit that they previously enjoyed, then the common law imposes basic criteria that must be satisfied in order for that procedure to be considered lawful and fair.
- 7.4 The case of *R. v Brent London Borough Council, ex. p. Gunning* [1985] 84 LGR 168 established the following basic criteria (now known as the Sedley criteria), that all fair consultations must satisfy:
1. consultation must be undertaken at a time when proposals are still at a formative stage;
  2. sufficient reasons must be given for any proposal to allow an intelligent consideration of and response to the proposal;
  3. adequate time must be given for consideration and response; and
  4. responses must be conscientiously taken into account in finalising any proposal.
- 7.5 It is also worth noting that more recent case law has suggested that "consulting about a proposal does inevitably involve inviting and considering views about possible alternatives," and "sometimes... discarded alternative options."
- 7.6 Paragraph 3 and Appendix C of the report sets out the extent of the consultation exercise undertaken and demonstrates a fair and legally robust process. Further, paragraph 2 of the report and Appendix E set out the assessment of the alternative options undertaken and that "intelligent consideration" was provided by the Council in its review and account of consultation responses. Full reasons are provided where particular options are not being pursued which demonstrates the fairness of the consultation process thereby satisfying the legal tests set out in paragraph 7.4 above.

## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE

### **Appendices**

**Appendix A – Consultation Document**

**Appendix B - Final Design Map**

**Appendix C – Engagement process**

**Appendix D – Consultation Results**

**Appendix E – Alternative considered**

**Appendix F - EQIA**

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

- None

**Officer contact details for documents:**

Chris Harrison – Liveable Streets Programme Director