


Cabinet 25 November 2020	
Report of: Ann Sutcliffe – Corporate Director, Place	Classification: Unrestricted
Bow Liveable Streets	

Lead Member	Cllr Dan Tomlinson, Cabinet Member for Environment
Originating Officer(s)	Dan Jones, Divisional Director, Place Chris Harrison, Programme Director
Wards affected	Bow East, Bow West
Key Decision?	Yes
Forward Plan Notice Published	11 September 2020
Reason for Key Decision	Financial impact
Strategic Plan Priority / Outcome	Priority 2 – A borough that our residents are proud of and love to live in. Priority 3 – A dynamic, outcomes-based council using digital innovation and partnership working to respond to the changing needs of our borough.

Reason for Urgency

The report was not published five clear days in advance of the meeting. This is due to the additional time required to review the large volume of appendices and respondents to the consultation. If the outcome of the consultation is not considered at this meeting it will impact of the timely delivery of the scheme and risk potential funding loss from third party sources.

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 the infrastructure on the street and open spaces and change the travel behaviour of 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 Bow area. These proposals were presented to the Bow community for comment through a public consultation from Monday 29 June 2020 to Wednesday 29 July 2020.

The consultation attracted over 3,800 responses. All the proposals gained broad public support, with the majority of all responses falling into 'supportive' or 'very supportive' categories. Through the consultation period there were concerns raised by some residents and businesses, as well as various alternative suggestions put forward which have been considered by the project team and changes made, 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 Cabinet is recommended to:

1. Receive and conscientiously consider the results of the engagement to date and public consultation of Bow Liveable Streets (Appendix C & D)
2. Approve the final scheme design for the Bow area as part of the Liveable Streets programme (Appendix B) and summarised in section 3.3 of this report
3. Allow blue badge holders within the Bow area to pass through the Roman Road bus gateway and Coborn Road timed closure during the hours of operation. Ensure that this element of the scheme is designed in such a way so that, should a future decision be made, further local exemptions could be implemented at a later date.
4. Approve the use of existing frameworks or term contracts to award an order up to a value of £3 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 Bow area. These changes seek to address the following known issues in the area:

- High through-traffic which equates to 49% of all vehicle journeys in the area
- 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
- Air pollution which in areas is at unhealthy levels, affecting children and adults' health and life expectancy.

1.2 An extensive engagement process has been undertaken over the past

eighteen months involving residents, businesses, disability groups, tenant and resident associations, emergency services and internal council services. The outcome of this extensive engagement process shows overall support for the proposals. However, it should be noted there were concerns raised by some residents and businesses on delivery, disabled parking and potential congestion to main roads.

- 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 the Bow proposals being £3 million this is for Cabinet.

2 ALTERNATIVE OPTIONS

- 2.1 Throughout 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 There have been a number of alternative suggestions that have been accepted from resident groups and have been included within the final scheme.
- 2.3 The key alternative proposals that have been included, but not limited to, are:
- Allow blue badge holders within the Bow area to pass through the Roman Road bus gateway and Coborn Road timed closure during the hours of operation
 - Narrowing of the carriageway on Fairfield Road underneath the railway bridge
 - Further engagement with businesses and Market Traders on the location of loading bays and streetscape within Roman Road East
 - Increasing the access and parking spaces on non-market days for blue badge holders within Roman Road East
 - Extend the School Street outside Olga Primary School to include a section of Medway Road
 - Increase capacity of Roman Road/ St Stephen's Road junction by removing parking spaces on the junction approaches and a left turn only leaving Roman Road East onto St Stephen's Road (southbound).
 - A permitted right turn at the junction of Coborn Road and Bow Road during the timed closure hours on Coborn Road.

- 2.4 Some of the key alternative proposals that have not been included are:
- Providing residential permits and exemption for taxis at bus gateways and timed closure points
 - Two-way contraflow cycle lane on Old Ford Road east of Parnell Road
 - Cycle lanes on Old Ford Road west of Parnell Road
 - Fairfield Road becoming one-way north bound
- 2.5 In summary, these options would either not achieve the aims and objectives of the Liveable Streets programme or are not required due other measures already being implemented.
- 2.6 A full summary of each alternative proposal and their reason for inclusion or exclusion can be found in Appendix E.

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 Bow 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. In total, 306 residents responded.
- 3.1.2 In November and December 2019, three community co-design workshops took place with 128 attendees. In February 2020, a trader and business owners co-design workshop also took place with an additional 14 attendees. The attendees were presented with plans showing suggestions to improve the area and tackle issues based on feedback received from residents, businesses, schools and other stakeholders during early engagement. The workshops consisted of two exercises, the first focussed on traffic management and cycling improvements, and 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. We also met with schools during this time to discuss potential School Streets proposals and get their feedback on the suggestions.

- 3.1.3 Throughout the engagement period, we met with council departments and reached out to emergency services and Safer Neighbourhood Team contacts.
- 3.1.4 A public consultation exercise was carried out from Monday 29 June to Wednesday 29 July 2020. Consultation packs were delivered to over 14,780 residential and business addresses within the consultation area, with extra copies made available on request. There were also 8 social media tweets and the consultation received local press coverage. Emails were sent to internal and external stakeholders on the Bow Liveable Streets mailing list and to over 250 residents during the consultation period. In place of face-to-face drop in sessions, virtual 'chat with the team' sessions were held over the phone and zoom on 8, 11, 15 and 18 July which provided the opportunity for attendees to review the proposals with the project or programme team to discuss any changes which may be desired. Virtual meetings were offered to all schools in the area, and the project team met the Malmesbury and Fairfield Residents Associations. The project team visited every business in the impacted areas of Roman Road and handed out posters to display in the shops, as well as display posters on-street. A postcard was delivered to 14,780 properties on Monday 20 July 2020 to remind people to respond to the consultation.

Proposals

- 3.2 The proposals seek to improve the area for walking, cycling and access to public transport, improve air quality, reduce short motor vehicle trips and help to discourage through-traffic and anti-social driving.
- 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:

Scheme 1

- In consideration to both resident and business feedback the implementation of a bus gateway on Roman Road during the hours of 6:30am to 9:30am and 2:30pm to 7pm Monday to Friday.
- Exemptions for blue badge holders within the Bow area to pass through the Roman Road bus gateway. This will allow blue badge holders in the Bow area to register a vehicle/s that will then be able to pass through the Roman Road bus gateway without incurring a fine. The administration, including the fee to register, will align with the other bus gateways in the borough.
- Improvements to the junction of St Stephen's Road and Roman Road to improve vehicle flow during non-operational times including the removal of four parking spaces on Roman Road and four spaces on Stephen's Road.
- Left turn only to be installed for those travelling along Roman Road onto St Stephen's Road.
- The number of parking spaces to remain the same.

- Omission of the closure on Thoydon Road with a review of traffic levels after other scheme 1 measures have been implemented. If there is reasonable increase in traffic further engagement to take place with local residents on a closure point.

Scheme 2

- Increase restriction of vehicle movements on Roman Road East to non-market days, subject to further engagement with market traders and businesses to develop detailed design and allow additional blue badge parking and exemptions on non-market days.

Scheme 3

- Vehicle closure on Old Ford Road at Skew Bridge including more planting.
- Conversion of Old Ford Road/St Stephen's Road roundabout to a T-Junction.
- New short stay parking spaces and cycle parking near the shops.
- Additional resident parking bays either side of Skew Bridge.

Scheme 4

- In consideration to resident and business response and other recommended closure times the implementation of a timed closure during the hours of 6:30am to 7pm Monday to Friday. This is subject to liaison with TfL on the reintroduction of a right turn to/from Bow Road.
- Exemptions for blue badge holders within the Bow area to pass through the Coborn Road timed closure. This will allow blue badge holders in the Bow area to register a vehicle/s that will then be able to pass through the Coborn Road time closure without incurring a fine. The administration, including the fee to register, will align with the other timed closures in the borough.
- A permitted right turn at the junction of Coborn Road and Bow Road during the timed closure hours on Coborn Road.
- Motor vehicle closure at the south end of Selwyn Road at the junction with Antill Road.
- Closure on Antill Road, west of the junction with Coborn Road.
- Making Antill Road between Lyal Road and Coborn Road two-way.
- Reinstate the right turn from Tredegar Road into Coborn Road, and one parking space removed to improve visibility.

Scheme 5

- Improvements to various walking and cycling routes of which can be found within the map in Appendix B. This includes the introduction of dropped kerbs, improving crossing points, and the decluttering of street furniture.

Scheme 6

- Introduction of traffic calming both horizontal and vertical on Fairfield Road, Parnell Road and Jodrell Road, including raised pedestrian crossings and speed tables.

Scheme 7

- The implementation of School Streets at Chisenhale Primary School, Olga Primary School, Old Ford Primary School and Malmesbury Primary School.
- The implementation of road safety measure outside Phoenix Upper School
- The school streets will be subject to further engagement with the representatives of each school on the detailed traffic management requirements and plans.

Consultation Results and Final Design

- 3.4 Over the 4-week period we received a total of 3,814 respondents to the consultation of which 2,599 were received online and the remaining 1,215 were paper responses. Overall, there were 2,174 responses from within the consultation area (residents could choose more than one option if it applies). The responses are categorised as follows:

- 2,124 residents that live within the scheme area
- 78 business
- 8 visitors
- 224 working in the area
- 15 not stated/other

A breakdown of each question is provided in Appendix D, Consultation Results. The results from those responding from within the area showed 70% were supportive of the scheme, 17% unsupportive and 13% neutral or don't know.

Finance

- 3.5 The funding of the Bow area is to be split over two financial years of 2020/21 and 2021/22.
- 3.6 The total cost of the scheme is estimated at £3 million. Capital Investment in the Liveable Streets programme will be required for the financial year 2021/22. Further funding is being identified within the TfL Liveable Neighbourhood bid, local implementation fund and S106 monies.
- 3.7 The procurement of works and service will be carried out using existing frameworks or term contracts which have already received council approval.
- 3.8 Detailed design will take place after Cabinet, if approval is awarded, on all proposals with works to start in Spring 2021. Some measures to be agreed by Cabinet will be accelerated to be implemented before the end of 2020.

Governance

- 3.9 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 Bow 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. A full Equalities Impact Assessment has been carried out for the proposals taking into account the final design, which can be seen in Appendix F.

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 Bow is £3m. This expenditure is capital in nature and will form part of the liveable streets capital programme.
- 6.2 A total of £4.480m has been allocated within the capital programme for Liveable Streets in 2020/21. There are no further capital allocations over the remaining two years of the capital programme. It is planned to fund these works from £1m CIL income and £3.480m from s106 income. The Bow expenditure will be spent against this allocation but must be considered alongside other commitments within the Liveable Streets programme to ensure sufficient funding is available.
- 6.3 At present it is not anticipated to borrow to fund the Bow programme, If this were to change 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 Bow Liveable Streets programme set out in paragraph 3.4 and evidenced in Appendix D, and to approve the final scheme design (Appendix D). 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 within the stipulated threshold .
- 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 in evidence of a a fair and 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 thereby satisfying the legal tests set out in paragraph 7.4 above.
- 7.7 Lastly, paragraph 4.1 advises that a full Equalities Impact Assessment has been undertaken in respect of the proposals set out at Appendix F in satisfaction of the Public Sector Equality Duty (s149 Equalities Act 2010) and the requirement for the Council to have regard to the impact of the proposed

scheme upon those residents who share the Protected Characteristics specified under the Act.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Appendix A – Consultation Document

Appendix B – Final Design Map

Appendix C – Engagement and Consultation Summary

Appendix D – Consultation Results

Appendix E – Alternatives Considered

Appendix F – Equalities Impact Assessment

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

- NONE

Officer contact details for documents:

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