

Individual Mayoral Decision	 TOWER HAMLETS
26 May 2021	
Report of: Ann Sutcliffe – Corporate Director, Place	Classification: Unrestricted
Liveable Streets Old Ford Road West	

Lead Member	Cllr Dan Tomlinson, Cabinet Member for Environment
Originating Officer(s)	Dan Jones, Divisional Director, Public Realm Chris Harrison, Programme Director
Wards affected	Bethnal Green, St Peters
Key Decision?	Yes
Forward Plan Notice Published	26 February 2021
Reason for Key Decision	Key Decision Threshold
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.

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 provide improvements in the Old Ford Road West area. These proposals were presented to the Old Ford Road West community for comment through a public consultation exercise held between Thursday 19 November 2020 to Sunday 20 December 2020.

The consultation attracted 686 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 of the project.

Recommendations:

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

1. Consider the results of the engagement to date and public consultation of the Old Ford Road West area as part of the Liveable Streets programme (Appendix D);
2. Approve the final scheme design for the Old Ford Road West area, (Appendix B);
3. Approve the use of existing frameworks or term contracts to award an order up to a value of £1 Million for the completion of the works;
4. Consider the Equalities Impact Assessment and specific equalities considerations summarised in paragraph 4 of the report and the full Equalities impact Analysis (EqIA) detailed in Appendix F;
5. Approve the use of an Experimental Traffic Order for the works specified within the final scheme design as shown in Appendix B to allow any objections, comments or observations to be made before a review is undertaken within 18 months of the legal traffic order being made.

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 Old Ford Road West area. These changes seek to address the following known issues in the area:
 - The volume and speed of vehicles in residential streets, impacting safety, air and noise pollution.
 - The need for better, cleaner and greener public spaces.
 - Hostile environment for pedestrians and cyclists.
- 1.2 An extensive engagement process has been undertaken over the past thirteen 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.
- 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 Old Ford Road West proposals being £1 million and affecting two wards, this decision is to be taken by 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 There have been a number of alternative suggestions from resident groups that have been accepted and considered within the final scheme.

2.3 The key alternative proposals that have been included but not limited to the following are:

- Measures to reduce through traffic on Old Ford Road, including:
 - Banned left turn on Cambridge Heath Road into Old Ford Road between 4pm and 7pm.
 - A signalised pedestrian crossing at North Globe Town Square
 - A signalised pedestrian crossing on Cricketers Bridge.
- Introduction of additional cycle parking on Victoria Park Square and Old Ford Road where possible.
- Introduction of public realm improvements around Brierly Gardens to encourage active use and travel.

2.4 A summary of the measures being recommended for implementation can be found in section 3.3 of this report.

2.5 The key alternative proposals that have not been included are:

- Cycle Crossing on Cambridge Heath Road
- Reversing the proposed one-way system on Vyner Street and Wadeson Street
- Closure point within the Wellington Estate
- Chicanes to be implemented to calm traffic instead of the proposed sinusoidal speed humps
- Traffic lights, shared space and further pedestrian crossing on Sewardstone Road / Bishops Way
- Introduction of a roundabout at the junction of Old Ford Road and Approach Road
- Closure at the southern end of Globe Road
- Introduction of a formal crossing on Victoria Park Square

- Allow resident access through the closure on Bonner Street
- Introduction of a school street outside Gatehouse School on Sewardstone Road

2.6 The full details of all the alternative suggested considered with reasoning for inclusion or exclusion can be found in Appendix E. In summary these options would either

- not help achieve the aim of Liveable Streets programme or
- create conflict with existing proposed measures or
- not be possible to design safely for road users or
- stop access completely for residents using a motor vehicle.

3 DETAILS OF THE REPORT

Engagement and consultation

3.1 Starting in March 2020, the Council has been undertaking an extensive engagement process in the Old Ford Road West 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, over 400 residents responded.
- 3.1.2 In July 2020, four community co-design workshops took place virtually with 44 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 for their feedback on the suggestions presented to further develop the designs to align with the needs of the community. Officers 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, officers 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 Thursday 19 November 2020 to Sunday 20 December 2020. Consultation packs were delivered to over 5,298 residential and business addresses within the consultation area, with extra copies made available on request.

Emails were sent to over 660 residents, internal and external stakeholders on the Tower Hamlets mailing list during the consultation period.

- 3.1.5 In place of face-to-face drop-in sessions, virtual 'chat with the team' sessions were held over the phone and zoom on 26 November, 28 November, 2 December, 9 December 2020 which provided the opportunity for attendees to review the proposals with the project manager 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 Parkview Tenants and Residents Association. A postcard was delivered to 5,298 properties on Monday 27 November 2020 to remind people to respond to the consultation.

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 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

- Proposed closure on Vyner Street west of Lark Row
- Convert Wadeson Street to one-way from Mowlem Street to Cambridge Heath Road
- Footway widening and improvements on Wadeson Street and Vyner Streets
- Planting and trees on Wadeson Street and Mowlem Street
- Closure on Russia Lane at the junction with Bishops Way
- Proposed cycle route improvements on Bishops Way including new two-way protected cycle track
- New zebra pedestrian crossings

Scheme 2

- Closure at junction of Approach Road/ Sewardstone Road
- Convert St James Avenue to one-way northbound
- Closure at junction of Bonner Road/ Approach Road
- Closure at junction of Robinson Road/ Approach Road
- Public realm improvements at St James Square

Scheme 3

- Closure on Bonner Street
- Remove signals from Bonner Street/ Roman Road junction and replace with a cycle/pedestrian crossing across Roman Road
- Protected cycle lanes between Bonner Road and Morpeth Street

- Public realm improvements on Victoria Park Square, near Museum Gardens
- Lighting improvements on Peary Place
- Lighting improvements in walkway between Cyprus Street

Scheme 4

- Mowlem Children's Centre – introduction of school street next to the Islamic Centre
- Saint Elizabeth Roman Catholic Primary School - permanent closure of Waterloo Garden's south of Bishops Way and playful streetscape

Consultation Results and Final Design

3.4 Over the 4-week period the Council received a total of 686 respondents to the consultation of which 400 were received online and the remaining 286 were paper responses. A summary breakdown of the respondents are:

- 327 residents within the scheme area
- 31 business
- 66 visitors
- 94 working in the area

A breakdown of each question is provided in Appendix D, Consultation Results. The results from those responding from within the area showed 58% were supportive of the scheme, 26% unsupportive and 16% neutral or don't know.

Finance

3.5 The funding of the Old Ford Road West area is within financial year 2021/22.

3.6 The total cost of the scheme is estimated at £1 million. Capital Investment in the Liveable Streets programme will be required for the financial year 2021/22.

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 approval on all proposals is granted, if the Mayor is so minded, with works to start in late 2021.

4 EQUALITIES IMPLICATIONS

4.1 A full Equalities Impact Assessment (EqIA) has been carried out on the Old Ford Road West Liveable Streets scheme. The proposed measures reflected in the report are comprised within this EqIA assessment which has been updated. The EqIA can be seen in Appendix F and obtains the full assessment for each protected characteristics.

- 4.2 The EqIA assessment has highlighted the potential for positive impacts on groups sharing protected characteristics. Evidence has been drawn upon from existing studies, data sets, as well as data and evidence collected as part of this scheme programme through each engagement stage, consultation, and surveys in order to make the assessment.
- 4.3 For example, the borough's Transport Strategy indicated a disproportionately low take up of cycling amongst women, often in relation to fear of traffic/roads which this scheme would help to resolve by creating a safer network of cyclable roads. Black and minority ethnic groups are identified as more likely to be a casualty in a road collision, particularly as a pedestrian which this scheme would help improve by removing the conflict with motor vehicles and improvements to crossings and accessibility through the area. Those who are black and minority ethnic and/or elderly are also more likely to have a respiratory condition, as outlined in the Transport Strategy and would benefit from reduced traffic levels. The elderly and young are also the most likely groups to be involved in a collision, as well as being impacted by the poor air quality, walking environment and outdoor space.
- 4.4 Overall, these measures provide greater accessibility for those who walk, cycle and use public transport across the area as well as improving the look, feel and safety of the area. Furthermore, this is likely to provide health benefits and mental wellbeing in relation to an increase in physical activity as recommended by NHS to help us continue to be independent and healthier for longer in our lives.
- 4.5 The identified negative impacts of the proposal are related to the requirement for those using a motor vehicle to use alternative routes to reach their destination in the area. The greatest increase has been estimated to be 5-10minutes, 1.1miles. The negative impact is associated with the increased time, distance and cost for those using a motor vehicle to reach their destination. It should be noted that all properties remain accessible by motor vehicle and there are other travel methods which will be improved by the proposals such as access to public transport, the environment for those who walk and cycle.
- 4.6 Further, it is recommended the scheme is undertaken on an experimental basis to ensure a review of the scheme is carried out. This will include the monitoring of the potential positive and negative impacts identified through the assessment and where necessary provide a mechanism for alterations made to the scheme which will be undertaken following engagement with stakeholders. As part of this review the EqIA will be further updated with results from any surveys and feedback provided from all road users and the local community.

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 In September 2020, Cabinet approved the funding sources for the delivery of Liveable Streets schemes at Bethnal Green (£2.7m), Wapping (£1.1m) and Barkantine (£1.0m) - totalling £4.8m. After accounting for the retrospective spend incurred on these schemes from prior years, the remaining budget totals £4.5m. In November 2020, Cabinet approved the funding sources for Liveable Streets schemes at Bow (£3.0m) and Brick Lane (£1.7m) – totalling £4.7m. Most recently, in January 2021, Cabinet approved the funding sources for the next schemes in Liveable Streets projects, including Old Ford West (£1.0m), Shadwell (£1.0m), Whitechapel (£1.2m) and Mile End West (£1.0m) – Totalling £4.2m. Hence, The current total approved budget for Public Realm Liveable Streets projects as part of the Council's 2020/21 and 2021/22 approved capital programme is a combined budget of £13.4m, funded through a combination of S106 (£4.8m) and CIL (£8.6m) monies.
- 6.2 This report is requesting for a release of £1m which is the estimated total cost of the Old Ford West scheme, which can be accommodated within the approved budgets.
- 6.3 The procurement of works and service will be carried out using existing frameworks or term contracts which have already received Council approval and detailed design will take place after Mayoral approval on all proposals are granted

7 COMMENTS OF LEGAL SERVICES

- 7.1 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.
- 7.2 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.

- 7.3 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."
- 7.4 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 above.
- 7.5 The Council is required to adhere to the Public Sector Equality Duty in accordance with s149 of the Equality Act 2010 which must be given due regard in its decision making. Paragraph 4 advises that a full EqIA has been undertaken in respect of the proposals whilst taking into account the wider design of the Liveable Streets Old Ford West scheme. The EqIA is attached at Appendix F of the report.
- 7.6 The Mayor will note that the EqIA identifies a number of positive and negative impacts upon individuals that share particular protected characteristics. Paragraphs 4.1-4.6 of the report set out the justification and mitigations proposed in respect of any adverse effects.
- 7.7 It is noted that paragraph 4.6 of the report advises that the scheme implementation has been recommended to be undertaken on an experimental basis to ensure a review of the scheme is carried out. This will include the monitoring of the potential positive and negative impacts identified through the assessment and where necessary alterations made to the scheme. As part of this review the EqIA will be updated with results from any surveys and feedback provided from all road users and the local community.
- 7.8 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.

7.9 The Council is entitled to use a framework provided it is procured correctly in compliance with the statutory requirements of the Public Procurement Regulations 2015.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Appendix A – Consultation Document
Appendix B – Final Design Map
Appendix C – Engagement and Consultation
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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