


Cabinet	 TOWER HAMLETS
20 September 2023	
Report of: Simon Baxter – Interim Director Public Realm	Classification: Unrestricted
Liveable Streets Brick Lane Consultation outcome and measures	

Lead Member	Cllr Kabir Hussain, Cabinet Member for Environment and the Climate Emergency
Originating Officer(s)	Ashraf Ali, Service Head, Highways & Transportation (Interim)
Wards affected	Spitalfields and Banglatown and Weavers
Key Decision?	Yes
Forward Plan Notice Published	12/08/2022
Reason for Key Decision	Significant impact on wards
Strategic Plan Priority Outcome	7. Working towards a clean and green future

Executive Summary

On Wednesday 30 October 2019 Cabinet approved the Liveable Streets programme, governance and delivery plan for 17 project areas. Seven projects were started and two of there were completed (Wapping and Barkentine).

The Liveable Streets programme seeks to 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.

In early August 2021, the council implemented one of the schemes under the Brick Lane Liveable Streets Programme which was five timed closures to motor vehicles (5.30pm-11pm Thursday and Friday and 11am-11pm Saturday and Sunday) along Brick Lane. These included along Brick Lane between:

- Brick Lane between Chicksand Street and Fashion Street
- Brick Lane between Fournier Street and Princelet Street
- Brick Lane between Princelet Street and Hanbury Street
- Brick Lane between Hanbury Street and Woodseer Street
- Brick Lane between Buxton Street and Taylor’s Yard entrance

In March 2022, the council reduced the number of timed closures by removing the following the three southernmost closures. These were:

- Brick Lane between Chicksand Street and Fashion Street
- Brick Lane between Fournier Street and Princelet Street
- Brick Lane between Princelet Street and Hanbury Street

The council also reduced the timings of the two remaining closures between Hanbury Street and Woodseer Street and between Buxton Street and Taylor's Yard entrance. The new timings were changed to 12pm-11pm Saturday and Sunday. These changes were implemented under an experimental order.

The council has reviewed the scheme through a public consultation and engagement with key stakeholders and local businesses. This report details the results of the review and feedback from engagement and presents the details of two options.

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 public consultation and engagement with businesses in the Brick Lane area.
2. To approve one of two options summarised in section 2 of this report.
3. Note that the Appendix C – Equalities Impact Assessment identifies a number of positive and negative impacts of the options upon individuals that share particular protected characteristics (summarised in paragraphs 4.1 – 4.3 of this report).

1 REASONS FOR THE DECISIONS

- 1.1 The options set out in this report seek to address several issues that have been identified by residents and key stakeholders since the implementation of the camera closures on Brick Lane.

2 ALTERNATIVE OPTIONS

- 2.1 Through the public consultation, responses and feedback from the public and key stakeholders was assessed by the project team. The review, assessment and available data have contributed to the development of additions to Option 1.

Summary of the options

- 2.2 Below is a summary of each of the options under consideration in this report.

Option 1

- The full removal of the camera closures on Brick Lane

- Commissioning of a comprehensive study into improving the public realm for pedestrians in the areas around Brick Lane

Option 2

- Retention of the camera closures.

3 DETAILS OF THE REPORT

Engagement and consultation

- 3.1 A public consultation exercise was carried out from 30 January until Sunday 17 February 2023. Consultation packs were delivered to 6525 residential and business addresses within the Brick Lane Liveable Streets scheme area, with extra copies available on request.
- 3.2 Both consultations presented respondents with two options as well as a travel survey and scheme evaluation. The options were:
- Option 1: The full removal of the camera closures on Brick Lane
 - Option 2: Retain the camera closures.
- 3.3 Emails were also sent to key stakeholders such as local schools, Transport for London and the emergency services. Emails were also sent to internal and external stakeholders on the Tower Hamlets mailing list during the consultation period.
- 3.4 Throughout the engagement period, we met with council departments and reached out to the emergency services and Transport for London.
- 3.5 The following groups were also asked to for their comments on the consultation:
- Accessible Transport Forum
 - Ethnic Minority Network
 - The Disabled People's network
 - Interfaith Forum
 - LGBT+ Community Forum
 - Older People's Reference Group
 - Women's Network

Consultation responses

Analysis of data and feedback

Data

The council has collected data to assess the impacts of the Liveable Street programme in Bethnal Green. Collecting a baseline was not possible for some data sets making before and after comparisons impossible. This applies to

cycle and pedestrian count data that was not collected before the scheme was implemented. However, the council has collected a sufficient level of data for a robust assessment of the scheme to be undertaken. The following data has been collected:

- Air Quality (NOX)
- Responses from the public consultation and stakeholder feedback

The data collated after approximately 12 months of operation of the scheme is sufficient to enable the benefits and disbenefits to be properly evaluated and understood so that informed decisions can be taken.

Consultation Feedback

In addition, a full analysis has been undertaken on all feedback on the scheme regarding the scheme. This includes:

- A public consultation which was conducted from 30 January 2023 to 17 February 2023.
- External stakeholder engagement including but not limited to the emergency services, Transport for London and local businesses.
- Internal stakeholder feedback from council services including the network management, clean and green and highways maintenance teams

Analysis

Traffic volumes on boundary roads

- 3.6 The council could not obtain any traffic data that would enable the council to fully assess the impact of the closures on local roads as pre scheme weekend traffic data was for counts undertaken on weekdays.

Air quality

- 3.7 NO₂ data from within the scheme and boundary roads was collected and compared with similar roads and streets in other parts of the borough. The data showed significant reductions between 2019 and 2022 across the borough, including the area around Brick Lane.
- 3.8 Average NO₂ levels reduced by 23% on Whitechapel Road and 21% on Commercial Street compared to 20.93% for other comparable A roads in the Borough. The nearest monitoring station to the closures is Brick Lane/Princelet Street which saw a 23% reduction in NO₂ levels.

Consultation outcome

- 3.9 For those who used a resident reference code sent out with consultation packs across the scheme area, 41% (109) supported option 1 for and 59% (158) supported option 2.

3.10 The surveys also included a travel survey and scheme evaluation. Details regarding both is provided in Appendix B - Brick Lane Consultation Report. Based on the consultation responses received, overall the residents supported option 2.

Public consultation Feedback themes

3.11 Key themes from respondents supporting Option 1 included:

- Traffic is displaced onto local streets causing a nuisance to residents
- The confusing nature of the closures means people get fines and this results in customers avoiding the area through fear of receiving more fines.

3.12 Key themes from respondents supporting Option 2 include:

- The pedestrian space created through the closures make the area is pleasant to visit.
- It will be less safe to walk and cycle through the area is traffic is re-introduced at the busy times the closures are operational.
- The closures increase footfall and are better for local businesses.

Stakeholder feedback

3.13 The three emergency services were consulted on the proposals and summaries of their response are provided below.

3.14 *London Ambulance service response*

- Regarding the closures we would not have a preference on whether the scheme was removed or kept, as long as no hard physical closures are introduced that could impact on emergency access/egress.

Cameras – allow this, whilst maintaining a reduction in through traffic.

3.15 *Metropolitan Police response is set out below:*

- The MPS Road Safety Engineering Unit would urge LBTH to retain as much of the LTN infrastructure as possible in Brick Lane. This road is heavily used by vulnerable road users, especially pedestrians, who are most at risk of injury in collisions with motor vehicles. 80% of those killed on roads in London are vulnerable road users and reducing road deaths is part of the Mayor's Vision Zero strategy which we support. Due to the short period that the closures have been in place I am not able to source any meaningful collision data, but the removal/reduction of motor vehicles in other areas of London has shown a significant reduction in collisions.

3.16 LFB response:

- London Fire Brigade (LFB) wish to highlight the importance of our emergency service response being considered in all road network planning. LFB's Community Risk Management Plan (CRMP), which is approved by the Mayor of London, commits the Brigade to getting the first fire engine to an incident within a London wide average of six minutes and a second fire engine in eight minutes. We are keen to ensure the proposed changes do not impact on LFB's ability to meet those commitments. LFB has strict attendance times which are monitored closely. It is imperative that any works like this has minimal impact on our emergency response.

3.17 TFL response:

- Brick Lane is a vibrant cultural hub with high footfall, that attracts visitors from all over the world. Tower Hamlets Council has already responded to feedback from some local businesses about reducing the camera-enforced closures from five to two. The remaining timebound closures are essential for pedestrian safety and enhance the attractiveness of the area for visitors and residents alike – creating potential economic benefits.

The consultation materials present a weak rationale for removing the remaining two cameras, with a heavy focus on car reliance – which is neither supportive of resident and visitor safety or the economic interests of Brick Lane. Removing the remaining traffic restrictions is therefore not supported by TfL.

3.18 Tower Hamlets Council Public Health Team

- Public Health recognises the importance of improving the look and feel of public spaces in neighbourhoods across the borough, to make it easier, safer and more convenient to get around by foot, bike and public transport, as well as to take steps to reduce pollution.

Response from Tower Hamlets Network Management Team (Regulatory Function)

3.19 The role of the Network Management Group, apart from coordinating works and activities on the Council's highways, is also to hold the charge of the Traffic Manager whilst satisfying the Network Management duty which is a statutory responsibility.

3.20 The responsibility of the team is to request information and assess the proposed schemes and works that will have an impact on the resiliency of the network. The Network Manager needs to be satisfied that network resilience is maintained and that there is efficient and expeditious movement of traffic, as far as possible, on our road network.

The Network Management team would support the removal of Liveable Streets schemes across the borough. Returning to a baseline traffic configuration will immediately alleviate negative post scheme impacts. This will allow the council to review a more considerate approach in the future with assessment that really take all stakeholders/data/assessment concerns into account before moving forward. The implementation of Option 1 will improve the resilience.

Response from UK Power Networks (UKPN)

From a UKPN stance, we have raised numerous concerns about the LTNs that have come in across London. We are seeing concerns raised by Engineers who are being delayed from accessing assets such as Substations and Link Boxes due to the additional time it's taking to get to locations when having to detour or take a different route which are now heavier with displaced traffic.

One of our main focuses and drivers from Ofgem is restoration time to faults, we need to ensure we restore power to customers as quickly and as safely as we can – in some cases, as you know this could be a temporary measure, but this is usually carried out by switching the network via Link Boxes or local Substations, but requires Engineers on site to do so. Not being able to get to locations as swiftly as we previously could due to these LTNs has a knock on affect to our restoration times, which could also potentially put added risk to any scenario.

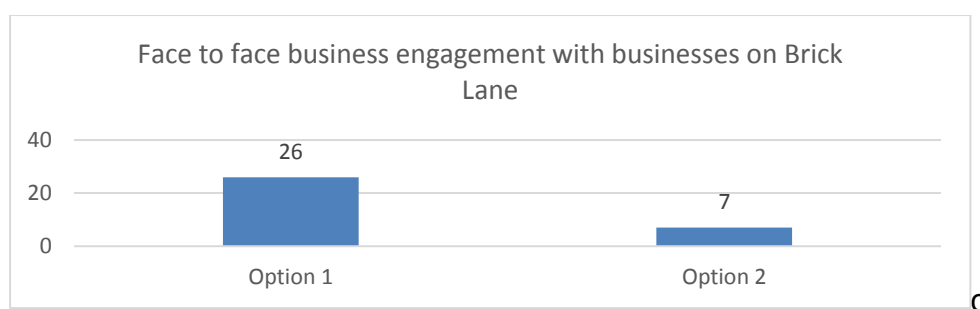
The Options

Option 1

- 3.21 Option 1, involves the removal of the two existing timed camera closures on Brick Lane.
- 3.22 The closures restrict traffic from two sections of Brick Lane, measuring 49m between Hanbury Street and 43m between Buxton Street and the entrance to Taylor's Yard. During closure times, vehicle access is still possible to the part of Brick Lane which sits between these two restricted areas. This area provides access to the Truman Brewery public car park, the wider Truman Brewery site and access and other uses such as taxis serving the night-time economy in the area. This section is only accessible through Spital Street, Hanbury Street and then Woodseer Street.
- 3.23 Woodseer Street is narrow and has limited footway space on each side with larger vehicles occasionally mounting the northern footway to pass parked vehicles. Spital Street and Hanbury Street both border dense residential estates including the Chicksand Estate.
- 3.24 This option would address the issue of displaced traffic onto surrounding residential streets during closures times. This will result in reduced road

danger in these dense residential areas. Traffic has a disproportionate impact on protected characteristics groups such as older people and younger children who are more likely to use these residential side streets.

- 3.25 Brick Lane is also home to a high concentration of business, many of which form the frontage along Brick Lane. Business types are largely mixed but there is a high concentration of restaurants between Fournier Street and Woodseer Street.
- 3.26 The consultation asked respondents whether they were responding as a business or owner of a business in the area where 18 respondents from the consultation area answered yes to this question (6.3% of all respondents in the consultation area). The majority of business responders (52%) within the consultation area felt that the scheme has had a negative impact on their business.
- 3.27 Further face to face engagement with local businesses was conducted and 26 out of 33 businesses we engaged with supported Option 1 (removal of the camera closures).



- 3.28 The responses from local businesses stated the following concerns with the closures:
- How the closures have reduced the number of those who drive to Brick Lane
 - The impact of closures on deliveries. Closures divert traffic down longer routes leading to more traffic congestion; adversely affects vehicle access to business / deliveries;
- 3.29 Option 1 would introduce some through traffic between two major A Roads (Whitechapel High Street and Bethnal Green Road) so traffic levels are likely to increase on the weekends. Under Option 1, the council will commission a comprehensive study into improving the public realm for pedestrians in the areas around Brick Lane. It should consider walking routes throughout the area and should also consider parking arrangements on Brick Lane and how they impact on pedestrian use of Brick Lane. Key priorities will be:
- Working with TfL to address the key road safety issue the area, the Commercial Street/Hanbury Street junction. The junction is busy seven days a week and is part of the key route between Spitalfields Market and Brick Lane. However, there are no green signals for pedestrians who

can only cross when there are gaps in traffic. This is a particular issue for older pedestrians, children and disabled users.

- The level of service that is provided to pedestrians along the whole of Brick Lane.
- An assessment of parking arrangements on and around Brick Lane and how they can coordinate better to accommodate the pedestrian demands.
- There need to be an assessment of pedestrian links to Brick Lane. Many of these links need improvements including footway widening and decluttering.

Option 2

- 3.30 Brick Lane is one the London's key tourist destinations, attracting thousands of visitors throughout the week but at much higher levels at weekends.
- 3.31 The section of Brick Lane covered by the two camera closures is well used by thousands of pedestrians. The sections of Brick Lane closed to traffic benefit these pedestrians by providing safe traffic free space. The pedestrianised road space on Brick Lane is well used particularly where footway widths are limited.⁹
- 3.32 The camera closures provide an added benefit to the non-pedestrianised parts of Brick Lane by restricting through traffic between Whitechapel High Street and Bethnal Green Road.
- 3.33 TfL raised concerns stating the closures are essential for pedestrian safety and feel the removal of the closures is neither supportive of resident and visitor safety or the economic interests of Brick Lane. The Metropolitan Police Service response also raises the concerns on pedestrian safety.
- 3.34 The camera closures do not impact on council operations such as highways maintenance, waste collection and passenger services through exemption or their timing in the weekends.
- 3.35 Air quality has improved to a slightly greater degree on Brick Lane compared to similar roads in the borough (a reduction of 23% from 2019 to 2022). However, it is difficult to ascertain the contribution of the closures to this reduction given they have only been in place since August 2021 and are limited to weekend operation.

4 EQUALITIES IMPLICATION

- 4.1 An Equalities Impact Assessment (EqIA) has been developed alongside the scheme development and consultation process. The initial EqIA assessment highlighted the potential for positive and negative impacts on groups sharing protected characteristics. Evidence has been gathered from existing studies, data sets, as well as data collected as part of the consultation.

- 4.2 Overall, Option 1 would benefit road safety for some residential streets surrounding Brick Lane. Traffic in these areas is more likely to impact older pedestrians, children and disabled users.

5 OTHER STATUTORY IMPLICATIONS

- 5.1 Option 1 would require changes to 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.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 The cameras on Brick Lane were introduced in January 2022 as part of the liveable streets programme. Since this date, PCNs to the value of £1.502m have been issued directly relating to these cameras, with £1.3m in 2022/23. Removal of the cameras will result in an annual reduction in this income.
- 6.2 It is proposed that this will be fully mitigated by a combination of relocation of cameras to other locations in the borough, and additional enforcement hours.

7 COMMENTS OF LEGAL SERVICES

- 7.1 It is understood that the Brick Lane scheme is currently subject to a permanent order, although the operating times when the closure is in force were varied by an Experimental Traffic Order in March 2022.
- 7.2 If this is the case, and Option 2 is preferred, officers will need to ensure that appropriate steps are in place to ensure the Experimental Traffic Order will remain in force on the expiry of that Order.
- 7.3 If Option 1 is preferred, it has been identified that this will require a new Traffic Order to be made.
- 7.4 The power to make (or not to make) an order is discretionary - simply because there may have been a particularly active campaign (either for or against a proposal) does not automatically mean that option should be followed. The test against which any decision will be considered is whether the decision to make or not make an order was so unreasonable that no reasonable person acting reasonably could have made it.
- 7.5 The Road Traffic Regulation Act 1984 provides the statutory basis on which traffic orders may be made -
- Avoiding danger to people or traffic
 - Preventing damage to the road or to buildings on or near the road
 - Facilitating the passage of traffic (including pedestrians)
 - Preventing the use of the road by unsuitable traffic

- Preserving the character of the road, especially where the road is suitable for walking or horse-riding
- Preserving or improving the amenities of the area through which the road runs
- Air quality

- 7.6 The courts have recently set out how a decision maker should react when considering whether respond or not to make a traffic order –
- keep in mind the statutory duty under s122 Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians), so far as practicable.
 - have regard to factors which might point in favour of making the order – these factors include the effect on local amenities and all the relevant factors listed in s1 Road Traffic Regulation Act 1984.
 - balance the various considerations and make the appropriate decision

- 7.7 When considering whether to make or revoke a traffic order, the decision maker must consider wider statutory duties. These include –
- Exercising our powers under s122 Road Traffic Regulation Act 1984 to secure so far as practicable the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).
 - Any duties under the Traffic Management Act 2004 to secure the expeditious movement of traffic on the local traffic network.
 - Equalities – detailed in the body of the report

- 7.8 Consultation has been undertaken, including with the public. The feedback from that consultation is but one element of the balancing exercise required to be carried out in the decision-making process.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Appendix A – Consultation Document

Appendix B - Brick Lane Consultation Report

Appendix C – Brick Lane Equalities Impact Assessment

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

- NONE

Officer contact details for documents:

Ashraf Ali – Head of Highways and Transportation