

For General Release

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 26 April 2016
AGENDA ITEM:	6
SUBJECT:	North End - Permanent Lifting of Restrictions on Cycling
LEAD OFFICER:	Jo Negrini, Executive Director Place
CABINET MEMBER:	Councillor Kathy Bee, Cabinet Member for Transport and Environment
WARDS:	BROAD GREEN, FAIRFIELD
<p>CORPORATE PRIORITY/POLICY CONTEXT:</p> <p>‘Improve the transport network across the borough, providing genuine alternatives to the private car...’</p> <p>‘Implement our 20-year Transport Vision to improve safety and access for all road users, particularly pedestrians, cyclists and people travelling by public transport’</p> <p>‘Physical inactivity carries health risks like obesity, stroke and diabetes. The proportion of Croydon adults participating in the recommended level of physical exercise is significantly lower than the national average. Partly as a result of this, Croydon has a higher number of detected diabetics than the average for England and Wales’</p> <p style="padding-left: 40px;">Corporate Plan: Enabling growth, independence, liveability 2015-2018</p> <p>‘We will raise the status of cycling as a means to travel around the borough aiming eventually to put Croydon on a par with the most cycle-friendly cities in Europe.’</p> <p style="padding-left: 40px;">The Croydon Promise: Growth for All</p> <p>‘Ensure Croydon’s places are easy and safe for all to get to and move around, particularly for pedestrians, cyclists and people travelling by public transport and reduce reliance on car ownership.’</p> <p style="padding-left: 40px;">Liveability Strategy: Enabling growth, independence, liveability 2015-2018</p> <p>‘By 2016 overcome a significant number of barriers to north-south cycling through the heart of the metropolitan centre.’</p> <p style="padding-left: 40px;">A Transport Vision for Croydon: Moving towards a more liveable place</p>	
<p>AMBITIOUS FOR CROYDON & WHY ARE WE DOING THIS:</p> <p>‘improve access and safety for cyclists, disabled people and pedestrians’</p>	

FINANCIAL IMPACT

The estimated cost of implementing the schemes as recommended in this report is £10,000 to be met from the Council's 2016/17 Local Implementation Plan allocation for cycle route improvement schemes.

KEY DECISION REFERENCE NO.: Not a Key Decision

1. RECOMMENDATIONS

1.1 Consider the Council's public sector equalities duty under the Equalities Act 2010 as detailed in para.8 and the Impact Assessment at Appendix 1 to this report as it relates to the proposal to improve facilities and safety for cyclists, by making permanent the Experimental Traffic Management Order (reference 2015/34) lifting of the restrictions on cycling in North End thereby allowing cyclists to continue to travel in both directions at all times.

1.2 Agree that the Cabinet Member for Transport and Environment be recommended to:

1.2.1 Approve the necessary amendment to the Traffic Management Order (reference 1999/25 (as amended by Traffic management Order 2005/35)), prohibiting cycles proceeding southwards in North End and proceeding between the hours of 10.00am and 6.00pm,

1.2.2 The implementation of the mitigation measures described at paras 3.25 to 3.32 of the report to ensure the permanent order meets the Council's Equalities Act duties.

1.2.3 Delegate to the Enforcement and Infrastructure Manager, Highways and Parking Services the authority to publish notice of and make the necessary Traffic Management Order under the Road Traffic Regulation Act 1984 (as amended), in order to implement Recommendation 1.1 and 1.2.1 above.

2. EXECUTIVE SUMMARY

2.1 The report provides the background to the current trial permitting cycling two-way and cycling between 10.00 and 18.00 hrs within North End. It summarises the results of observational studies conducted in North End during the trial and reports objections made to the trial. It includes information as to the risks to cyclists on alternative routes compared to risks to pedestrians sharing North End with cyclists. The report recommends making the trial permanent but with mitigation which seeks to address the concerns of people with sight loss and older people.

3. DETAIL

Background

- 3.1 Croydon Town Centre was reconceived in the 1960's. The 'vision' was of a Town Centre where everyone could drive to their destination car park. No-one would need to cycle, and the need to walk would be minimised. The major highways (a key part of that 60's vision) have become a defining feature of the Town Centre. They act as barriers to pedestrians and cyclists accessing and crossing the town centre. They also act as barriers to most cyclists wanting/needing to proceed along them. They certainly act as a deterrent to the less confident cyclist.
- 3.2 In 1989, the historic route and natural desire line through the Town Centre (from Brighton Road to London Road via South End, High Street and North End) was closed to vehicles (including cycles) throughout most of the day, as a result of pedestrianising most of the length of North End. During the hours cycles and other vehicles were permitted to travel in North End, they were only permitted to travel in one direction within the pedestrianised area. The closing of North End to cyclists meant that there were no readily cycle-able north-south routes through the Town Centre.
- 3.3 As a result of North End being pedestrianised, cyclists were required to use parallel routes. The only two-way parallel route is the 6 lane Wellesley Road, to the east of North End. Frith Road to the west of North End can provide for north to south cycle movement, but is not a direct route and involves cycling through Surrey Street (difficult when the market is open).
- 3.4 Prior to the pedestrianisation of North End, the DfT published 'Getting the Right Balance; Guidance on Vehicle Restriction in Pedestrian Zones' (Local Transport Note 1/87, 1987). This included:

'6.15 It is important that pedestrianisation measures do not result in unsafe or inconvenient conditions for cyclists e.g. in forcing them to use busy distributor roads. The aim should be to provide safe and convenient access for cyclists to shops and other facilities in pedestrian zones but it is usually sensible to discourage indiscriminate cycling within the zone itself. Suitably located cycle racks can help.

6.16 Exemptions for cyclists should be considered if satisfactory routes for them around a proposed zone do not exist and cannot be created.....'

<http://www.ukroads.org/webfiles/LTN%201-87%20Getting%20the%20Right%20Balance.pdf>

- 3.5 In 1989 the DfT Published 'Making Way for Cyclists: Planning, Design and Legal Aspects of Providing for Cyclists' (Local Transport Note 1/89). This included:

'Maintaining cycling rights of way

- 5.5 *Where the right of way for vehicles has been or is to be removed (with or without physical enforcing measures), either at a particular point or over a length of road, a continuing right of way for cyclists should be provided unless there are overriding safety reasons for not doing so.'*

It also reiterated the earlier Guidance namely:

'Pedestrian Zones

- 5.7 *Where pedestrian zones are established it is important that the measures do not result in less safe conditions by forcing them to use busy and inconvenient distributor roads. Exemptions for cyclists should be considered if satisfactory routes for them around a proposed pedestrian zone do not exist and cannot be created. In practice consideration of pedestrian safety, particularly in shopping streets, will dictate that maintaining the right to ride a pedal cycle should be examined carefully. Factors to be considered are the volumes of pedestrian and cyclists traffic expected, the consequent potential for conflict, the risks to cyclists on any alternative route, and the scope which exists for maintaining an identifiable route for cyclists through the area by use of dropped kerb track or other defined path.'*

<http://www.ukroads.org/webfiles/LTN%201-89%20Making%20Way%20for%20Cyclists.pdf>

- 3.6 In 1993, the DfT Published 'Cycling in Pedestrian Areas' (Traffic Advisory Leaflet 9/93). This referred to the earlier guidance:

'Preliminary guidance on providing for cyclists in pedestrianised areas was included within Local Transport Notes 1/87 and 1/89. This drew local authorities' attention to the need to ensure that pedestrianisation measures do not result in unsafe or inconvenient conditions for cyclists, e.g. by forcing them to use busy distributor roads. The advice then was that exemptions for cyclists should be considered if satisfactory routes for them around a proposed pedestrian zone did not exist and could not be created.'

The purpose of the Traffic Advisor Leaflet was to draw attention to the findings of a study conducted by TRL for the DfT. The Leaflet explains that *'The Department wished to establish whether genuine conflicts resulted from the sharing of space by pedestrians and cyclists where motor vehicular movements in the highway had been reduced or extinguished.'* The main conclusions included:

- *'Observation revealed no real factors to justify excluding cyclists from pedestrianised areas'*.

Findings of the study included:

- *'Pedestrians change their behaviour in the presence of motor vehicles, but not in response to cyclists.'*
- *'Cyclists respond to pedestrian density, modifying their speed, dismounting and taking other avoiding action where necessary.'*
- *'Accidents between pedestrians and cyclists were very rarely generated in pedestrianised areas (only one pedestrian/cyclist accident in 15 years) at the sites studied.'*

The Leaflet also emphasised that:

'Segregating cyclists from pedestrians is not always necessary or desirable'.

<http://tsrgd.co.uk/pdf/tal/1993/tal-9-93.pdf>

- 3.7 In 2012 the DfT published 'Shared Use Routes for Pedestrians and Cyclists: Local Transport Note 1/12' which focuses on shared use or segregated paths. It reminds local authorities of their duty under the Equality Act, namely:

'1.15 The Equality Act 2010 introduced a public sector Equality Duty, which came into force on 5 April 2011. The Duty requires public bodies to play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. Authorities will need to consider how different people are likely to be affected by new scheme proposals, and due regard should be given to the effect they might have on those protected by the Duty.'

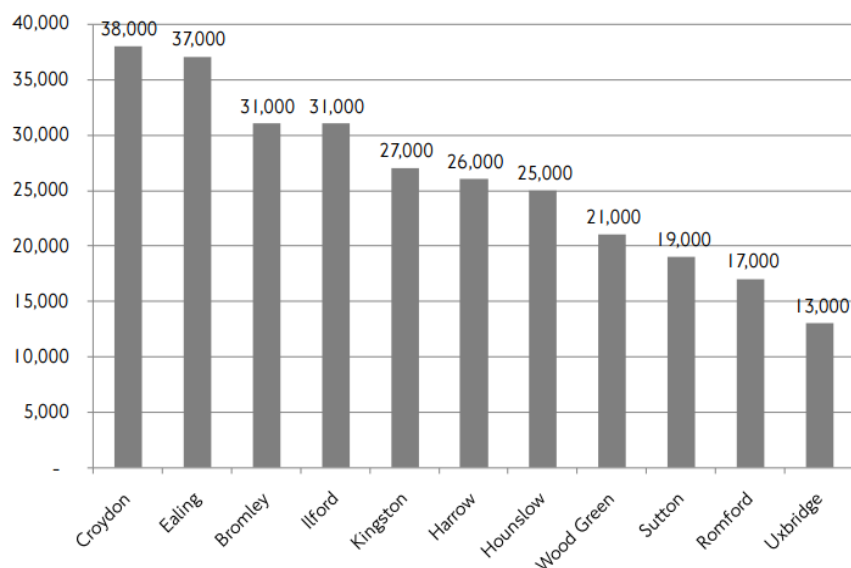
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9179/shared-use-routes-for-pedestrians-and-cyclists.pdf

- 3.8 On 3rd March 2015, The Traffic Management Advisory Committee resolved to recommend to the Cabinet Member for Transport and Environment that they approve the necessary Experimental Traffic Order in order to lift the prohibition on cycling in North End for an 18 month trial period (Minute A9/15). The Experimental Order was made on 1st June 2015 and came into operation on 15th June 2015.
- 3.9 Allowing two-way cycling within North End is part of a wider strategy to break down the barriers to cycling to and through the Town Centre. The northern (non-pedestrianised) section of North End can now be cycled in both directions, including through the junction with Station Road / Tamworth Road and on to London Road. Works start in June to enable two-way cycling in the High Street. North End (with the amended High Street) will provide the link from the east-west Connect2 cycle route to the Croydon to Waterloo Quietway cycle route at Poplar Walk. Works to enable the Quietway and cyclists to cross the Wellesley Road at Poplar Walk, are underway. These changes and the wider strategy seek to enable people to drive less and cycle more, delivering health, air quality and congestion relief benefits.

Realising Croydon's Cycling Potential

3.10 In 2010, TfL identified central Croydon as one of the areas in London with the greatest potential for cycling, and the Town Centre as the Outer London Metropolitan Centre with the greatest potential. This was based on the large number of short motorised trips (mostly by car) which could readily be undertaken by bike (if conditions allowed / encouraged).

Figure 2.3 Potentially cyclable trips with an origin in the outer London Metropolitan town centres, London residents



TfL's report identified the 'Croydon Cluster' focused on the Town Centre:

'There is a'hotspot' with a high density of potentially cyclable trips around Croydon town centre. This area covers a further 22 sq km and is shown in Figure 2.9.'

<http://content.tfl.gov.uk/analysis-of-cycling-potential.pdf>

According to the TfL report, the 'Croydon Cluster' contains 119,000 potentially cyclable trips a day. 70% of potentially cyclable trips were made by car in Croydon compared to 56% in inner south London, with the remainder largely made by bus.

3.11 For many years, Croydon Council has spent between £150,000 and £200,000 per annum on cycle training for residents. It has worked with partners such as British Cycling to organise led community rides. It also provides 'Cycling on Referral' session for people needing or wanting to improve their health through exercise and active travel. However, these have had little discernable effect on the cycling mode share in Croydon. TfL's most recent monitoring figures (<http://content.tfl.gov.uk/borough-lip-performance-indicators.pdf>) show the proportion of journeys in Croydon made by bike remaining at 1%.

3.12 TfL's 'Attitudes Towards Cycling: Annual report 2014' highlights that the main barriers to cycling more / taking up cycling fall into two broad categories: safety and infrastructure, and in particular:

'Concerns about safety remain the key barrier to increased cycling – particularly in Central London and on busy roads.'

'in some areas perceptions of safety have worsened this year:

- *94% feel cyclists are vulnerable to other road users (90% in 2013)*
- *92% believe traffic makes people afraid of cycling on the streets of London (85% in 2013)'*

Active Travel and Health

3.13 In 1999 the DfT Published Traffic Advisory Leaflet 12/99: Cycling for Better Health. This explained:

'2.2.1 Walking and cycling for utility trips provide the opportunity to undertake daily exercise without the need for specialist equipment. Britain has a higher rate of coronary heart disease (CHD) and associated illnesses than most European countries. A modest amount of regular moderate intensity exercise such as walking or cycling can help to protect against developing such illnesses as CHD, stroke, non-insulin-dependent diabetes, osteoporosis and, by improving strength and co-ordination, it can also protect against falls, fractures and injuries (Davis, A, Active Transport, HEA 1999). Non-exercisers cycling approximately 30km per week can make significant gains in fitness, sufficient to considerably reduce any propensity to develop CHD.' <http://www.ukroads.org/webfiles/LTN%201-04%20Policy,%20Planning%20and%20Design%20for%20Walking%20and%20Cycling.pdf>

3.14 The 'Croydon joint strategic needs assessment 2010/11:Diabetes' reported that:

'Diabetes is a significant health issue in Croydon. At the end of March 2010, 16,516 or just over one in 23 of all patients registered with Croydon GPs had been diagnosed with diabetes. It is estimated that a further 2,666 patients registered with Croydon GPs have either not been diagnosed or have not had their diabetes recorded correctly. These patients comprise 14% of the estimated total diabetes population. The estimated prevalence of diabetes in Croydon is 5% for 2009.'

'Obesity is a risk factor for type 2 diabetes.... A healthy diet and adequate physical activity help to prevent obesity and therefore reduce the risk of developing type 2 diabetes. In 2009, 90% of patients with diabetes in Croydon had their body mass index (BMI) recorded..... Within this group 36.7% of males and 48.4% of females were obese...'

“Damage to the blood vessels in the body caused by high blood glucose levels can result in a range of complications including eye and foot problems, cardiovascular disease, kidney disease, nerve damage and sexual dysfunction. Damage to the blood vessels supplying the retina, known as retinopathy, is the major cause of adult blindness in the UK.”

<file:///lbcbau/userdata/documents/483703/My%20Documents/Downloads/JSNA%20Chapter%20Diabetes%202010-11.pdf>

- 3.15 In 2012, section 12 of the Health and Social Care Act introduced a new duty for local authorities in England to take appropriate steps to improve the health of the people who live in their areas. The duty came into effect in 2013.

Potential for Conflict: The Risks to Pedestrians in North End and Risks to Cyclists on Alternative Routes

- 3.16 The report to the Traffic Management Advisory Committee recommending the trial lifting of the North End cycle prohibition under an Experimental Order (the experimental lifting), described the alternative routes for Cyclists thus:

Traveling southbound

‘...cyclists wishing to get from the northern end of North End to the southern end of North End are required to travel along Tamworth Road and Frith Road for approximately 700 metres in length. On this route they are faced with potential hazards such as buses, trams, HGV’s and cars along some narrow roads like Frith Road which is also heavily parked on both sides. The final section of this route requires cyclists to dismount and walk the last 120 metres along Church Street and Crown Hill to North End. This route does not allow cycle movement in the reverse direction due to the one way system.’ (NB an alternative dismounting and walking through Crown Hill is to cycle through Surrey Street where the market is located).

‘Alternatively cyclists could travel eastbound on Poplar Walk, then southbound on Wellesley Road, then westbound on George Street. This route is fraught with potential hazards such as buses, trams, HGV’s. On this route cyclists will be expected to move alongside and on tram lines as well as bus lanes. They are also expected to cross Wellesley Road on two separate occasions.

Traveling northbound

‘...cyclists wishing to get from the southern end of North End to the northern end of North End during the restricted hours have to travel south on High Street Croydon then east along Katharine Street (George Street is one way in opposite direction), then northbound on Wellesley Road which is fraught with potential hazards such as buses, trams, HGV’s and cars before entering Station Road in West Croydon. This route is approximately 1200 metres in length’.

3.17 Before recommending the experimental lifting, the TRL report 'Cycling in Pedestrian Areas' was studied. The TRL study was based on hour-long footage of 21 pedestrianised sites – 12 in Britain (Beeston, Bristol, Cambridge, Canterbury, Chichester, Leicester, Manchester, Nottingham, Oxford, Peterborough (2) and York) and 9 in Europe (3 each in Denmark, Germany and the Netherlands), followed up by 12 hour video recording sessions at four British sites, and questionnaires. The study findings included:

- Pedestrians respond to the presence of motor vehicles (where permitted) by altering their behaviour, whereas the presence of cyclists has no appreciable effect.
- In 66 hours of total footage, no collision between a cyclist and a pedestrian was observed.
- Pedestrian Areas have good safety records. No accident involving an adult pedestrian and a cyclist was recorded at any of the 21 sites in the previous fifteen years. There had been only one accident involving a child pedestrian and a cyclist in that fifteen year period, a young child running out of a shop into the path of a cyclist resulting in slight injuries to the child.
- It was also notable that parents of young children were, with the exception of streets shared with buses, prepared to let their children wander at some distance, indicating that the presence of cyclists (as compared to motor vehicles) gave little cause for concern.
- The films show the extent to which cyclists adapt their speed to suit pedestrian density, dismounting if necessary, or taking a variety of other actions to avoid conflict with pedestrians.
- An instructive comparison can be made with people observed running through the pedestrian area – a not uncommon event. They are seen weaving in and out among other pedestrians, avoiding conflict by swerving or changing their speed, slowing down or stopping if necessary.
- Cyclists travel at similar speed, taking similar avoiding action. At lower levels of pedestrian and cycle flow, these avoiding actions appear to be quite distinct events. However, as flows increase, more and more such actions can be observed, merging into what appears to be the norm for cyclists as they progress through the area.
- The evidence from the films is that pedestrian safety is not compromised by the presence of cyclists.
- At lower levels of pedestrian and cycle flows, both users mingle readily throughout the pedestrian area.
- At higher levels of flow, surface treatment and the disposition of street furniture and shop displays can have a significant influence. An identified section clearly aids orientation and assists smooth operation. Where such aids are in place observations indicate that pedestrians tend to use the side areas, while cyclists ride in the middle of the street.
- The extensive observations made during this project have disclosed no real factors that justify exclusion of cyclists from pedestrian areas and indicate that cycling can be permitted without detriment to pedestrians.
http://www.trl.co.uk/online_store/reports_publications/trl_reports/cat_traffic_engineering/report_cycling_in_pedestrian_areas.htm

3.18 Informal observations at North End prior to the experimental lifting, suggested that:

- some cyclists were riding through North End during the prohibited hours;
- almost no cyclists were aware that they were only permitted to cycle from south to north.

The hours during which cycling was permitted, meant that cyclists were lawfully using North End during the first and last hours of retailing (e.g. the Whitgift Centre is open 9.00am to 7.00pm five days a week) and during late night shopping on a Thursday evening (Whitgift Centre open until 9.00pm on Thursdays).

3.19 Despite cyclists being permitted to mix with shoppers early in the morning or in the evening, road casualty data for the period 1 January 2009 to 30 September 2014 ((provisional data) reported to TMAC when recommending the experimental lifting) did not show any personal injuries in North End. In contrast, even with the very low level of cycling in Croydon, the data included 15 cyclist casualties (2 seriously injured) occurring on the North End 'alternative routes'. The casualty data suggest that the risks to cyclist on the alternative routes are greater than the risks to pedestrians arising from cyclists in North End. Since the introduction of the experimental lifting, road casualty data for Surrey Street has also been studied. Surrey Street is the location of Croydon's market but cycling is permitted. In 2012 the Connect2 cycle and walking route was formally introduced taking cyclists along half the length of Surrey Street. The road casualty data shows four collisions in Surrey Street resulting in casualties during the last five years. All involved cars or light goods vehicles, two colliding with and injuring pedestrians. There were no reports involving cyclists. This similarly suggests that the risks to pedestrians from cyclists within a shared space are low.

3.20 Two surveys were undertaken in North End during the experimental lifting. The first was a week's observation of CCTV footage recorded by the security cameras in North End in October. The conclusions drawn were:

'Cyclist behaviour was very good. It became clear that cyclists modified their manner of riding depending on the density of pedestrians.'

Light pedestrian traffic - cyclists rode at a reasonable speed and always kept a sensible distance from pedestrians.

Moderate – Cyclists rode at walking pace behind pedestrians, waiting patiently until there was a place to overtake.

Heavy – Cyclists got off and pushed their bikes.

It was clear that cyclists made all of the speed and directional changes. Pedestrians were not required to take any avoiding action.'

3.21 The above observations and conclusions were based on security CCTV (footage that cannot be shown publically). Therefore a second camera based survey was commissioned from the Space Syntax consultancy. Space Syntax deployed cameras on lamp columns recording movement at three locations in North End on Thursday 10th and Saturday 12th December 2015 between 07:00

and 21:00. A 5-minute sample for every half hour was extracted and transformed into hourly figures. The key findings include:

- *Pedestrian and cyclists have different movement patterns through the day and different peak periods. This reduces the overlap of the two transport modes and therefore any potential for conflict.*
- *The majority of cyclist movement occurs during the weekday morning and evening commute, although this is relatively low with under 50 cyclists per hour during the morning peak.*
- *No conflicts between pedestrians and cyclists were observed. The two user groups were able to share the same space. Cyclists were aware of other users and were able to avoid conflict by slowing down or adjusting their direction.*
- *Street furniture, shop signs and parked service vehicles become obstacles for cyclists and pedestrians reducing the effective width of the street. However, despite the reduction of width, there was no conflict observed between pedestrians and cyclists.*

The study shows an average of 3,930 pedestrians / hour on the Saturday and an average 2,796 pedestrians / hour on the Thursday. By contrast it showed an average 19 cyclists / hour on the Thursday and an average 12 cyclists / hour on the Saturday. The busiest time for pedestrians was between 2.00 and 3.00 pm on the Saturday with 8484 pedestrians recorded at the busiest location. By contrast there were 6 cyclists recorded. The study report also includes two case studies at sites in central London where cyclists are much higher (in excess of 500 per hour at one location), but draws the same conclusion about the ability of cyclists and pedestrians to coexist.

Results of the Equalities Analysis

3.22 An Equalities Analysis has been undertaken. It concludes that permitting cycling in North End is intended (combined with other changes in the Town Centre/as part of a wider strategy) to help and encourage more people from across the community to cycle as part of their travel to and through the Town Centre. This in turn is intended to enable people to be more active whilst travelling and improve health outcomes. The changes are particularly aimed at helping people from groups under represented amongst cyclists, to get cycling and to cycle more. Women, children, young people and older people are underrepresented amongst cyclists in the UK. This is not the case in some other European countries such as Germany, Denmark and the Netherlands. Regular cyclists in London are more likely to be men, white, working and non-disabled. 70% of disabled people in London can ride a bike. 9% of regular cyclists (cycling at least once a week or more) and 3% of occasional cyclists in London are disabled. However disabled people are still underrepresented amongst cyclists. Concerns about safety remain the key barrier to increased cycling.

- 3.23 The Equalities Analysis suggests that whilst the risks to pedestrians from cyclists in North End are low (compared to the risks faced by cyclists on the alternative routes) without mitigation / reasonable adjustments, permitting cycling in North End might result in indirect discrimination in relation to blind/visually impaired people and older people, if concerns about personal safety cause them to curtail their use of North End / independent mobility. The Analysis concludes that mitigation is required as set out below.

Proposed Mitigation if the Experiment is made Permanent

- 3.24 The research undertaken by and for the Council, and other research summarised in this report, suggests that the risks to pedestrians (including older, blind and partially sighted pedestrians) from cyclists in North End, is slight compared to the risk of injury to cyclists on the 'alternative routes'. However, the concerns expressed by Croydon Vision and its members (see Section 4 below), and by some of the residents of the Almshouses, are real. Fear of cyclists in North End can have the effect of curtailing their independent mobility. Therefore, in recommending continuing to allow cycling throughout the day, it is recommended that this be supported by the following mitigation measures.

Providing an alternative route for cyclists

- 3.25 In the next few months (planned completion August 2016), an alternative route for cyclists will be created and sign-posted, by allowing cycling two-way in Crown Hill and Frith Road. This new two-way cycle route is longer and less direct than North End. However, of the small number of cyclists currently using North End at busy pedestrian times, a proportion would be expected to choose the longer but faster Frith Road route. In the morning and evening (when cycling was previously permitted in North End) and pedestrian numbers are low (with the exception of Thursday late night shopping), cyclists would probably continue to choose North End.

Providing clear 'Comfort Space' in North End

- 3.26 North End (at least after 10.00am and before 6.00pm) does not accord with the government's definition of 'shared space', which involves pedestrians and cyclists sharing with motor vehicles. However, the DfT's Local Transport Note 1/11 'Shared Space' offers relevant advice. It suggests that shared space designers should consider the need for 'comfort space'. This is space between the building line and a line of seating, cycle stands and other street furniture, on either side of the street, with the intention of keeping vehicles to the centre of the street, away from the pedestrian 'comfort space'. Stretches of North End are already designed along these lines. However, 'A boards' frequently encroach into the 'comfort space'. It is proposed to remove A boards from North End. It is also proposed to replace the grating over the drainage channel either side of North End (which acts as a further defining feature of the 'comfort space') with one that has greater colour contrast with the surrounding surface, and is more 'tactile' than the existing. The 'comfort space' position etc will be kept under review particularly as the Whitgift Centre is redeveloped.

3.27 Both the Space Syntax research at North End and the TRL research at other pedestrian streets, suggest that cyclists tend to keep towards the centre part of the street. However, it is proposed to engage with cyclists in North End (see below) to highlight the role of the 'comfort space' and the importance of respecting it.

Joint Working with Wheels for Wellbeing and others

3.28 Croydon based Wheels for Wellbeing has been engaged with regarding the lifting of the prohibition on cycling. Whilst their view is that North End should remain open to cyclists, they take the concerns of blind and partially sighted people very seriously (and suggest that Croydon Council should also).

3.29 Last year more than 1400 disabled people and their carers and families learned to cycle with Wheels for Wellbeing. The group wishes to hold a series of events in North End to show more disabled people how standard or non-standard cycles can enable them to enjoy new skills, freedom, health, independence and to feel good.

3.30 Croydon Council and the Police already hold 'Exchanging Places' / 'View from the Cab' sessions in North End. (Cyclists are stopped and encouraged to sit in the cab of a large goods vehicle to experience the limited visibility of a driver. The dangers of cycling near to large goods vehicles are also explained.) These could be combined with the above Wheels for Wellbeing events or kept separate. Either way the Wheels for Wellbeing events (which would include an offer to Croydon Vision and residents of the Almshouses to take part) would be the opportunity to promote safe and active travel for all, and also to:

- Explain to cyclists the needs and concerns of people with sensory impairment and older people;
- explain the role of the 'comfort space' and the need to avoid cycling within it.
- advise cyclists not to assume that a pedestrian is sighted, and of the need to give each pedestrian a wide berth.
- highlight the alternative Frith Road route, and ask cyclists to consider using it or dismounting, particularly when North End is busy.

3.31 It is proposed to develop a disability awareness component for the Council's cycle training to raise awareness of the needs and concerns of people with sensory impairment etc.

Additional Advisory Signing

3.32 The trial within North End has been implemented with blue roundel signs indicating shared pedestrian / cyclist space. It is proposed to supplement these with signs indicating a 10mph speed limit and the words 'Cycle with Care' 'Pedestrians have Priority' 'Cyclists Please Keep Towards the Centre of the Street'. Whilst the proposed 'sign' would not be enforceable it will act as a reminder of Highway Code Rule 62:

'Cycle Tracks. *These are normally located away from the road, but may occasionally be found alongside footpaths or pavements. Cyclists and pedestrians may be segregated or they may share the same space (unsegregated). Take care when passing pedestrians, especially children, older or disabled people, and allow them plenty of room. Always be prepared to slow down and stop if necessary.'*

The rule is advisory but if disobeyed, the cyclists may be guilty of the offence under the Road Traffic Act 1988 (as amended by the Road Traffic Act 1991) of either:

- 'dangerous cycling' ('a person is to be regarded as riding dangerously if (and only if)—(a) the way he rides falls far below what would be expected of a competent and careful cyclist, and (b) it would be obvious to a competent and careful cyclist that riding in that way would be dangerous') or
- 'careless and inconsiderate cycling' ('If a person rides a cycle on a road without due care and attention, or without reasonable consideration for other persons using the road, he is guilty of an offence').

Croydon Vision's Response to the Proposed Mitigation

3.33 Croydon Vision has responded to the proposed mitigation. The response is at appendix 2 to this report. Croydon Vision makes clear that they do not consider the proposed mitigation addresses their concerns. However, the Council's obligation is to make reasonable adjustments and officers are satisfied that the adjustments proposed are reasonable and can further lessen the risk (and hence worry) to blind and partially sighted people (and frail older people) in an already relatively safe environment:

- Engaging with cyclists in North End and building disability awareness / sensory impairment awareness into our cycle training is a means of beginning to address the wide variety of poor cycling behaviours described in the appendix to the Croydon Vision response. It is an opportunity to promote/encourage the awareness and type of behaviour the Guide Dogs organisation 'Cycleeyes' campaign (highlighted in the Croydon Vision response) seeks to achieve. The Guide Dogs website points out that they are '*working alongside the Met Police and their Cycle Task Force Road Safety Team to raise awareness of blind and partially sighted pedestrians at some of their Exchanging Places events across London.*' The proposed mitigation includes this within North End. The Guide Dogs webpage explains '*We understand the vast majority of cyclists are responsible, and we want to work with them and any cycling club/organisation to make our pathways and roadways safe for everyone.*'

<http://www.guidedogs.org.uk/cycleeyes#.Vw chtJViko>

- The research indicates the low numbers of cyclists in North End and how the busy times for pedestrians and cyclists tend not to overlap. The research also indicates that cyclists tend to keep towards the central part of pedestrianised streets. However, providing ‘comfort space’ and further encouraging cyclists to keep to the central part of the street/North should increase the confidence of blind, partially sighted and older people if they choose to keep towards the side of the street/North End.
- Some cyclists are expected to choose the planned alternative route along Frith Road especially when pedestrian numbers are high. (This is informally observed on the Thames Path as it passes Tate Modern and the Globe Theatre. As pedestrian density increases, cyclists tend to choose the cycle route to the rear of Tate Modern.) The Holmes Report on “shared space” recounts the experience of a cyclist finding difficulty proceeding along a shared space street with high pedestrian density. <http://chrisholmes.co.uk/wp-content/uploads/2015/07/Holmes-Report-on-Shared-Space-.pdf>
- The planned alternative route is longer and much less direct. It also involves cycling along the tram tracks in Tamworth Road. Cycling on tram tracks carries additional risk and the route is unlikely to encourage those prevented from cycling due to safety fears, to begin cycling in the Town Centre.
- The ‘additional advisory signing’ can and will be made more obvious than the previous signing indicating the previous cycling prohibition.
- The Guidedogs website highlights that ‘the vast majority of cyclists are responsible’. Prohibiting cycling in North End is unlikely to address the broad spectrum of poor cycling behaviour reported from across the country highlighted in Croydon Vision’s response. The few cyclists that do exhibit such behaviours might also ignore a prohibition on cycling in North End where it reintroduced. Working with the Police on Exchanging Places events and Wheels for Wellbeing in North End, along with introducing disability awareness into our cycle training programme, are means by which we can seek to influence, understanding, attitudes and behaviours.

4. CONSULTATION

- 4.1 The first six months of the experimental order is when members of the public can write in formally to support or object to the scheme, this forms the Statutory Consultation. The legal process requires that the formal consultation takes place in the form of Public Notices published in the London Gazette and a local paper (Croydon Guardian) together with relevant documents being made available for inspection at the council’s principal offices. Although not a legal requirement, the Council also affix street notices to lamp columns in order to ensure that as many people as possible are aware of the proposal.

- 4.2 The Police are consulted prior to publishing the Public Notice. Other official bodies such as the Fire Brigade, Ambulance Service, Freight and Road Haulage Associations are consulted separately at the same time as the Public Notice. Other organisations are also consulted, depending on the relevance of the proposal. In this instance those other organisations included:
- Age UK
 - Croydon BID
 - Cyclists' Touring Club (CTC)
 - Croydon Cycling Campaign
 - Croydon Mail Centre
 - The Pedestrians Association
 - TfL
 - London Travel Watch

No responses were received from the above.

- 4.3 If it is intended to make the provisions of an experimental order permanent, any objections made in the first six months of the experimental order must be considered by the authority in the same way that objections to a permanent order are dealt with. (In order to make the provisions of the experimental order continue in force indefinitely, an authority must make a permanent order having the same effect. This requires a notice of making similar to that needed for a permanent order.)
- 4.4 Objections received in response to the experimental lifting include an email and a statement of objection from Croydon Vision. (Following the six month consultation period, the statement was also emailed to a number of Croydon Councillors by various members of the public along with emails opposing cycling in North End.) The email received before the start of the experimental lifting reports a member of Croydon Vision being knocked down by a bike and others being brushed by bikes. The statement relays the experiences of Croydon Vision members (two Croydon Vision members knocked down by a cycle, a guide dog startled by another, many members have been frightened by the sudden 'whoosh' as bikes pass by them just inches away, 'A'-boards and street furniture being an existing problem added to be cyclists). It highlights the resulting concerns of Croydon Vision members and how those concerns are affecting their enjoyment and use of North End, and therefore independent mobility. It urges Council members to reverse the Order so that cycling is again only one way and only between the hours of 6pm to 10am, suggesting that this is not ideal, but can be lived with. Two meetings have been held with Croydon Vision representatives to explore the concerns and potential mitigation proposed. Croydon Vision has formally responded to the mitigation proposals. The response is appended to this report and is addressed in the preceding section of this report.
- 4.5 An email of objection was submitted on behalf of the Croydon Partnership, the joint venture company set up by Hammerson plc and Westfield and a member of the North End Improvement Group (established via an Indemnity Land Transfer Agreement (ILTA)). The objection is on various grounds including:
- allowing cyclists within North End conflicts with North End's role as a multi-use busy pedestrian space, which has to cope with extremely high

levels of pedestrians, not just shoppers but many others making their way through and across town.

- whilst encouraging cycling and providing safe routes is an important part of a sustainable transport plan, this cannot be at the expense of pedestrians.
- permitting cycling through North End is a breach of the ILTA.

The ILTA requires the Croydon Partnership and Croydon Council to discuss in good faith what improvements can be made to North End and take steps to agree a strategy of improvement of North End. The Management Strategy is to prioritise objectives including agreeing how the authority may use its statutory powers in order to implement and enforce such temporary and permanent measures as are reasonably necessary having regard to how to secure management priorities. Those priorities include 'Cyclists: access to cycle stands at each end of the street but cyclists to dismount and push cycles along length of street'. The only power potentially available to the Council to enforce a ban on cycling in North End is under a Public Space Protection Order. Consultation on such an order was conducted in July/August 2015. The consultation included a question as to whether people's enjoyment of public space in Croydon was affected by skateboarding, rollerblading and cycling in pedestrianised areas. This did not feature amongst the highest concerns fed back to the Council via the consultation. The research undertaken for the DfT and Croydon Council suggests that pedestrians and cyclists can coexist within shared town centre space.

4.6 A letter of objection was received from the Whitgift Foundation (a member of the North End Improvement Group) with which were enclosed four letters from residents of the Almshouses and one from a carer at the Almshouses. The Whitgift Foundation objection includes:

- Allowing cyclists free movement in North End is extremely dangerous to young and old alike;
- Plans of Croydon Council, the Croydon Partnership and others to encourage the improvement of North End for shoppers and others taking their leisure would be significantly undermined.
- Residents of the Almshouses being elderly may be slow to react, have impaired vision and hearing which could all too easily result in unintended collision.

The research undertaken for the DfT and on behalf of Croydon Council does not suggest that allowing cycling in North End is extremely dangerous to young and older people. It does suggest that pedestrians do not need to change their behaviour in the presence of cycles.

4.7 The letters from the residents of and carer at the Almshouses included:

- I have watched a few cyclists from my window as they weave between the shoppers and others and it looks rather unsafe to all concerned. If monitored over a busy period I think you may find this to be so.
- Could lead to accidents among elderly and frail people, mothers with young children. Blind persons would be at particular risk. I myself cycled from the age of 10 until 73 when I came to live in Croydon and had to relinquish my cycle because of the awful traffic in this area. Cannot a cycle lane be marked along Wellesley Road.

- This is a busy road and there have already been accidents involving pedestrians and cyclists.
- Living in the Almshouses I use North End on foot every day, and having osteoporosis and not being very sure-footed, the thought of bikes hurtling in both directions at all times of day is extremely frightening.
- I understand from the Clerk to the Governors of the Whigift Foundation that an order has or will be placed before the Council allowing cyclists full access to North End. I object to the provision on the grounds that North End is a busy and flourishing pedestrian zone and that cyclists will be a hazard to pedestrians generally, and particularly to both young children and the elderly. However I have no objection to cycle stands being erected at either end of North End so that cyclists may then access the pedestrian zone on foot.

Whilst the research does not support the view that cyclists moving between pedestrians is dangerous, the concerns of the residents of the Almshouses are taken seriously. Therefore, the mitigation is proposed.

- 4.8 A further letter was received for a resident of South Croydon objecting to cycling being allowed in North End. The objector explains that they are in their eighties, have never driven a car and so travel by bus. They regularly shop in Selsdon but about once a week a friend takes them to Tesco in Purley.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 5.1 There is TfL Local Implementation Plan funding of £100k for Cycle Route Improvement Schemes for 2016/2017 from which £10k is in relation to this TMAC report. Attached to the papers of this meeting is a summary of the overall financial impact of this and other applications for approval at this meeting. If all applications were approved this would leave £40k to be utilised for remainder of 2016/2017.

1 Revenue and Capital consequences of report recommendations

	Medium Term Financial Strategy – 3 year forecast		
	2016/17	2017/18	2018/19
	£'000	£'000	£'000
Revenue Budget available			
Expenditure	5		
Income			
Effect of decision from report			
Expenditure	3		
Income			
Remaining budget	<u>2</u>	<u></u>	<u></u>

Capital Budget available

Expenditure	100		
Effect of decision from report			
Expenditure	7		
Remaining budget	<u>93</u>	<u></u>	<u></u>

2 The effect of the decision

The decision requires mitigation to be implemented which has both revenue and capital implications. Both will be met from 2016/17 Local Implementation Plan funding for 'Cycle Route Improvement' (a portion of which is identified for this project) except for the provision of two-way cycling along Crown Hill and Frith Road. That project is already underway and has separate budgetary provision through existing revenue budgets.

3 Risks

There is a risk that if the scheme cannot be implemented then funding would then have to be reallocated. This would be subject to the agreement of TfL. Should this prove impossible then the funding would need to be returned. The reputation of the Council in supporting cycling in and around the town and district centres will suffer.

4 Options

The alternative is stop the trial / not make it permanent

5 Future savings/efficiencies

The proposals are part of a wider strategy to help people be more active as part of their travel routine in part to deliver health benefits. If successful this would be expected to reduce care costs in the long term

Approved by: Louise Lynch, Finance Business Partner on behalf of the Chief Finance Officer

6. COMMENTS OF THE BOROUGH SOLICITOR AND MONITORING OFFICER

6.1 The Solicitor to the Council comments that Section 6, 9, 10, 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (as amended) provides powers to introduce, vary and implement Traffic management Orders. In exercising this power, section 122 of the Act Imposes a duty on the Council to have regard (so far as practicable) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The Council must also have regard to such matters as the effect on the amenities of any locality affected.

6.2 The Council needs to comply with the necessary requirements of the Local Authorities Traffic Order Procedure (England and Wales) Regulations 1996 by giving the appropriate notices and receiving representations. Such representations must be considered before a final decision is made.

6.3 The Public Sector Equality Duty as set out contained in Chapter 1 of Part 11 of the Equality Act 2010 has three principle requirements which can be summarised as the need to:

- eliminate discrimination (in all its forms, including direct and indirect discrimination);
- advance equality of opportunity; and
- foster good relations between those sharing or not sharing protected characteristics.

6.4 In considering this duty and making any decisions, case law has identified the key principles that must be observed:

- Those taking the decision must be aware of their duty to have “due regard” to the requirements of the PSED;
- The “due regard” duty must be fulfilled before and at the time that a particular policy that might affect protected groups is being considered by the public authority in question. It involves a conscious approach and state of mind;
- The duty must be exercised “in substance, with rigour and with an open mind”.

Approved by: Gabriel MacGregor, Acting Council Solicitor and Acting Monitoring Officer

7. HUMAN RESOURCES IMPACT

7.1 There are no other human resources implications arising from this report.

Approved by Adrian Prescod, HR Business Partner, for and on behalf of Director of HR, Resources department.

8. EQUALITIES IMPACT

8.1 The Council has a statutory duty to comply with the provisions set out in the Equality Act 2010. In summary, the Council must in the exercise of all its functions, ‘have due regard to’ the need to comply with the three arms or aims of the general equality duty (see comments of the Acting Council Solicitor above).

8.2 Equality Analysis is a tool that helps public authorities meet their statutory obligations so that their policies, and the ways they carry out their functions, do what they are intended to do and for everybody. A full Equalities Analysis has been undertaken drawing on the information in the preceding sections of this

report. It draws on information indicating the level of cycling amongst disabled people. It also relies on information indicating the numbers of children, younger and older people, and women cycling in the UK compared with some other northern European countries. It considers the health benefits to be derived by people being able to be more active as part of their day to day travel activities. It also considers the consultation responses and other feedback from older people and people with sight loss. The results of the Analysis are summarised at paras 3.23 and 3.24 of the report. It concludes that permitting cycling in North End (as part of a wider strategy) is intended to help and encourage more people from across the community to cycle. This includes people from groups under represented amongst cyclists in the UK. A further aim is to support achievement of health objectives. However the Analysis suggests that without mitigation / reasonable adjustments, permitting cycling in North End might result in indirect discrimination in relation to blind / visually impaired people and older people, if concerns about personal safety cause them to curtail their use of North End / independent mobility. A series of mitigation measures at paras 3.25 to 3.32 of the report are therefore recommended to ensure the permanent order meets the Council's Equalities Act duties.

- 8.3 The Equalities Analysis is being published on the Council website by means of appending it to this report.

9. ENVIRONMENTAL IMPACT

- 9.1 Allowing cycling in North End throughout the day is part of a wider strategy to realise the cycling potential in an around the Croydon Town Centre. Combined with allowing two way cycling in the High Street (a project nearing construction), North End would provide a connection between the east-west Connect2 cycle route and the planned Croydon to Waterloo Quietway (the southern section of which is under construction with the construction of a pedestrian- cycle crossing on the Wellesly Road at Poplar Walk).
- 9.2 The strategy seeks to reduce the large number of short car trips focussed on the Town Centre, delivering local and global environmental benefit.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 At the end of February, the Croydon Police Safer Transport Team reviewed the Computer Aided Dispatch message system for the previous six months. No calls to police relating to cycling incidents in North End were identified during this period. The Fairfield Safer Neighbourhood Team was asked about any Antisocial Behaviour (ASB) involving people using cycles. There had been no historic ASB issues involving cyclists in North End. As a consequence this is not one of the team's priorities. The studies summarised in this report do not suggest that permitting cycling within North End has any crime and disorder implications.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

11.1 The trial / Experimental Traffic Order has operated since June 2015. Evidence gathered during and prior to the trial suggests that making the trial permanent will provide a safer route through the Town Centre for some of the relatively small number of cyclists, without significantly increasing the risk to pedestrians in North End. There does however need to be a number of mitigation measures aimed at alleviating the concerns of people with sight loss and of older people. (Croydon Vision has commented on the proposed mitigation (see appendix 2) and this has been noted.) The proposal is part of a wider strategy to make cycling a realistic alternative to car use and thus delivering environmental and health benefits.

12. OPTIONS CONSIDERED AND REJECTED

12.1 The options considered and rejected were:

- ceasing the experimental lifting / not making permanent the effects of the Experimental Traffic Order; and
- making permanent the effects of Experimental Traffic Order without implementing any mitigation measures to address the concerns highlighted via consultation and the potential issues identified in the Equalities Analysis.

CONTACT OFFICER: Ian Plowright, Head of Transport, ext 62927.

BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972

Note of the results of the CCTV observation study conducted in North End

North End Cyclists Pilot, LB Croydon: Pedestrian and cyclist movement study', Space Syntax, 2016

Appendix 1: Equalities Analysis

Appendix 2 Croydon Vision response to the proposed mitigation