

CROYDON COUNCIL

DECISION NOTICE: Traffic Management Matters by Cabinet Member for Sustainable Croydon

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| 1 | TITLE | The Crystal Place and South Norwood Low Traffic Neighbourhood |
| 2 | DECISION REFERENCE NO. | N/A |
| 3 | KEY DECISION REFERENCE NO. (if applicable) | 6520SC |
| 4 | SUMMARY | <p>In relation to the existing Crystal Palace and South Norwood Temporary Low Traffic Neighbourhood, the Cabinet Member for Sustainable Croydon has resolved to:</p> <ul style="list-style-type: none">Remove the measures implementing the existing Temporary Low Traffic Neighbourhood as soon as practicable and in any event prior to 12 February 2021; <p>In relation to the proposed Crystal Palace and South Norwood Experimental Low Traffic Neighbourhood, the Cabinet Member has been made aware of the judgment of Mrs Justice Lang in the case of (R (UTAG & LTDA) v Mayor of London and TfL [2021] EWHC 72 which quashed the London Streetspace Plan and Transport for London's "Interim Guidance to Boroughs" (albeit that the quashing order is stayed pending appeal by TfL). As a result, the Cabinet Member resolves to:</p> <ul style="list-style-type: none">In relation to the report to the Traffic Management Advisory Committee held on 12 January 2021 ("the January 2021 Report") - Request officers to prepare an addendum to the January 2021 Report addressing the judgment of Mrs Justice Lang and the impact, if any, on the recommendations in respect of the proposed experimental order which were made to the Traffic Management Advisory Committee in the January 2021 Report;Refer the addendum back to the Traffic Management Advisory Committee for consideration, with a decision to be taken by the Cabinet Member thereafter. |
| 5 | ANY CONFLICT OF INTEREST DECLARED BY AN EXECUTIVE MEMBER CONSULTED by the decision maker in making the decision (if any) | N/A |

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| 6 | ANY DISPENSATION GRANTED BY THE CE TO THE EXECUTIVE MEMBER CONSULTED in 4 above (dispensation may only be granted by the Chief Executive) (if any) | N/A |
| 7 | ANY RELEVANT DECISION BY EXECUTIVE DIRECTOR OF PLACE PURSUANT TO THE LEADER'S DELEGATION OF 6 June 2016 (if any) [ATTACH AND SUMMARISE] | N/A |
| 8 | COPY OF MINUTES OF THE TRAFFIC MANAGEMENT ADVISORY COMMITTEE DETAILING REPRESENTATIONS MADE AT MEETING BY INTERESTED PARTIES TOGETHER WITH QUESTIONS ASKED BY AND OF COMMITTEE BOTH OF INTERESTED PARTIES AND OFFICERS (include here link to relevant webcast) | <p>Minutes of the Traffic Management Advisory Committee held on 12 January 2021 are attached for information.</p> <p>Webcast – https://webcasting.croydon.gov.uk/meetings/11439</p> |
| 9 | RECOMMENDATIONS WITH REASONS FROM TRAFFIC MANAGEMENT ADVISORY COMMITTEE | <p><u>Recommendations in the January 2021 Report</u></p> <p>That the Traffic Management Advisory Committee recommend to the Cabinet Member for Sustainable Croydon that they:</p> <p>1.1 Consider:</p> <ul style="list-style-type: none"> a) the responses received to the informal consultation on the options for the future of the Crystal Place and South Norwood Temporary Low Traffic Neighbourhood and other feedback. b) the Mayor of London's Transport Strategy and the Council's plan to implement it within the Borough (the Croydon Local Implementation Plan). c) the Council's statutory duties, including its duties under the Road Traffic Regulation Act 1984, in particular its duties under s.9, s.121B and s.122, its duties under the Traffic Management Act 2004, in particular its duty |

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| | | <p>under s.16, its duties under the Equality Act 2010, in particular under s.1 and s.149 (the public sector equality duty).</p> <ul style="list-style-type: none"> d) the statutory guidance 'Traffic Management Act 2004: network management in response to COVID-19' as updated on 13 November 2020. e) the other matters within and referred to within this report. <p>1.2 Agree to the removal of the measures implementing the Temporary Low Traffic Neighbourhood as soon as practicable and in any event prior to the implementation of the recommended Experimental TRO.</p> <p>1.3 Agree (subject to Spending Control Panel agreeing to the spending of ring fenced grant funding) to implement an Experimental Low Traffic Neighbourhood at Crystal Palace and South Norwood 'Experimental LTN' by the making of an Experimental Traffic Regulation Order (Experimental TRO) to operate for up to 18 months, to:</p> <p>1.3.1 prohibit access and egress by motor vehicles (other than certain exempt vehicles) at the following locations:</p> <ul style="list-style-type: none"> (a) Sylvan Hill at the common boundary of Nos.11 and 13 (b) Lancaster Road junction with Goat House Bridge (c) Fox Hill junction with Braybrooke Gardens (d) Stambourne Way junction with Auckland Road (e) Bus gate introduced at the common boundary of Nos. 86 and 84a(Auckland Road Surgery) Auckland Road <p>These restrictions to be enforced through Automatic Number Plate Recognition (ANPR) camera technology, shall not apply in respect of:</p> <ul style="list-style-type: none"> (a) a vehicle being used for fire brigade, ambulance or police purposes; (b) anything done with the permission of a police constable in uniform or a civil enforcement officer in uniform; (c) a vehicle being used for the purposes of a statutory undertaker in an emergency, such as the loss of supplies of gas, electricity or water to |
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| | | <p>premises in the area, which necessitates the bringing of vehicles into a section of road to which the order applies;</p> <p>(d) vehicles to which a valid exemption permit has been provided;</p> <p>(e) licensed taxis at the bus gate only.</p> <p>1.3.2 Introduce two disabled persons Blue Badge parking bays outside Nos. 84 and 86 Auckland Road.</p> <p>for the reasons set out in this report and summarised at paragraph 3.12 and 15.3 of the report.</p> <p>1.4. Delegate to the Director of Public Realm the authority to vary the provisions of the Experimental TRO including the exemptions to the restrictions.</p> <p>1.5 Instruct officers to continue to seek to work with those in Bromley Council to mitigate effects predicted to arise from the Experimental LTN in certain residential access streets in Bromley.</p> <p>1.6 In relation to Equality to agree:</p> <p>i) that the equality implications of the recommended Experimental Traffic Regulation Order have been the subject of careful consideration in compliance with the Council's obligations under sections 1 and 149 of the Equality Act 2010;</p> <p>ii) nevertheless there should be further equality impact analysis including through focused engagement with the members of groups with protected characteristics potentially most affected by the proposed change in and around the area of the current LTN during the operation and improvement of the Experimental TRO</p> <p>1.7 That a recommendation on the future for the Experimental LTN be brought to the Traffic Management Advisory Committee at the appropriate time.</p> <p><u>Key Points raised at Committee</u></p> <p>During the debate at the Traffic Management Advisory Committee, the following key points were raised:</p> |
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| | | <ul style="list-style-type: none"> • Response from local schools with regards to access by staff members • Access for care workers to assist those residents in need of home care, whether by professionals or family members • Access for residents using car clubs • Period of the experimental order • Engagement with the London Borough of Bromley <p><u>Endorsement of the Recommendations</u></p> <p>Councillors Luke Clancy, Michael Neal and Pat Ryan stated that they did not endorse the recommendations made to the Cabinet Member for Sustainable Croydon.</p> <p>Councillors Karen Jewitt and Paul Scott endorsed the recommendations made to the Cabinet Member for Sustainable Croydon; however, they both requested the length of the trial was reconsidered, to either six or twelve months.</p> |
| 10 | <p>BACKGROUND PAPERS: Include here specific reference to the report to the Traffic Management Advisory Committee which must be attached and should include:</p> <ul style="list-style-type: none"> • Relevant legislation • Equalities and human rights considerations • Legal comments • Appendices (list them) | <p>Attached:</p> <p>Committee report & appendices Letter from Bromley Chief Executive Letter from Steve Reed MP Letter from Ellie Reeves MP</p> |
| 11 | <p>ANY OTHER RELEVANT FACTORS TO TAKE INTO ACCOUNT</p> | <p>Judgment in the case of (R (UTAG & LTDA) v Mayor of London and TfL [2021] EWHC 72</p> |

Pursuant to the delegation from the Leader dated 11 January 2021 and having due regard to:

- the above referenced information;
- the attachments;
- the Council's public sector equality duty;

- the comments and recommendations from the Traffic Management Advisory Committee;
- the contents of the report to the Traffic Management Advisory Committee and supporting appendices;
- the minutes of the Traffic Management Advisory Committee including details of representations received from officers, members of the public and other interested parties and any subsequent questions asked by the Traffic Management Advisory Committee (including viewing the webcast where necessary)

I hereby:

- agree to the recommendations in paragraphs 1.1-1.2 of section 9 above for the following reasons

Taking into account everything set out in the January 2021 Report including the consultation responses, criticisms levelled at the Temporary LTN and views of the Traffic Management Advisory Committee, I consider that the existing Crystal Palace and South Norwood Temporary Low Traffic Neighbourhood should be removed irrespective of the decision in respect of the Experimental Orders.

- request the following additional information to enable me to consider the recommendations in paragraphs 1.1 and 1.3 – 1.7 of section 9

An addendum to the January 2021 Report addressing the judgment of Mrs Justice Lang in the case of (R (UTAG & LTDA) v Mayor of London and TfL [2021] and the impact, if any, on the recommendations in respect of the proposed experimental order which were made to the Traffic Management Advisory Committee in the January 2021 Report.

- wish the following questions to be put to the Traffic Management Advisory Committee/ officers/ persons who made representations to the Committee/in response to the consultation to enable me to further consider the consider the recommendations in paragraphs 1.1 and 1.3 – 1.7 of section 9

Following preparation of the addendum to the January 2021 Report, does the Traffic Management Advisory Committee endorse the recommendations 1.1 and 1.3-1.7 of section 9, or such other recommendations in the addendum, in respect of the proposed experimental order.

- request the additional information and questions to be put to the Traffic Management Advisory Committee/ officers/ persons who made representations to the Committee/in response to the consultation to enable me to further consider the consider the recommendations in paragraphs 1.1 and 1.3 – 1.7 of section 9 for the following reasons:

Whilst, currently, I am minded to acknowledge that the recommended Experimental LTN addresses many of the concerns and criticisms levelled at the Temporary LTN, I now need the views of TMAC upon the judgment of Mrs Justice Lang in the case of (R (UTAG & LTDA) v Mayor of London and TfL [2021], following receipt of which I will consider taking a decision in respect of this matter. During the debate at the Traffic Management Advisory Committee, the following key points were raised. The Cabinet Member for Sustainable Croydon has considered these, and has asked officers to investigate and address them as follows:

- **Response from local school and how we will work with them to resolve their concerns**

The two local schools have both expressed concern with regards access to their establishments by teachers and other staff. The team are to investigate how these concerns can be addressed to best effect for all concerned

- **Access for care workers**

The needs of our residents who require home care, be that via professionals or family members, must be considered so that they and their care givers are not disadvantaged by this scheme. Clarity needs to be given as to how the Council will deal with the essential needs of those affected.

- **Access for car clubs**

Car clubs do mean that there are less cars on our roads at any one time as households can rely on the use of such clubs almost entirely. Residents living within the zone that do not have access to their own car or rely from time to time on the use of car club alternatives should not be penalised for trying to reduce their reliance upon the ownership of a car or similar. The team is to investigate how car clubs can be incorporated into the operation of the zone in a similar way to Care Givers.

- **Period of experimental order**

It is acknowledged that the Committee did not want the Experimental TRO to last beyond 12 months, with a review at that stage.

- **Engagement with the London Borough of Bromley**

Officers to report to TMAC on a regular basis to allow for the updating of the committee as we work together with Bromley to progress the scheme.

Notwithstanding the above, since the meeting of TMAC I have been made aware of the judgment of Mrs Justice Lang in the case of (R (UTAG & LTDA) v Mayor of London and TfL [2021] EWHC 72 which has quashed the London Streetspace Plan and Transport for London's "Interim Guidance to Boroughs". Whilst I understand that the quashing order is stayed pending appeal by TfL, I consider it necessary to fully understand the impact of the judgment, if any, on the recommendations to the Traffic Management Advisory Committee, to take a decision in relation to the proposed Experimental Orders which will comprise the Low Traffic Neighbourhood.

- * delete as appropriate

The options I have considered and rejected in making this decision are the following:

The options considered and rejected are:

1. Leaving the Temporary LTN in place pending a decision on an experimental LTN.

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Print Name

Muhammad Ali

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Signature



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Title

Cabinet Member for Sustainable Croydon
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