

## Surbiton Neighbourhood Committee

22 July 2021

### King Charles Road Low Traffic Scheme - Experimental Traffic Management Order review

Report by Matthew Hill - Assistant Director Highways, Transport and Regulatory Services

Relevant Portfolio Holder - Councillor Stephanie Archer

#### **Purpose of Report**

To provide feedback to the Committee on a number of workstreams, which includes consultation responses (via the portal/email/ETMO), comment on traffic surveys and air quality assessments and potential impacts, and to seek a way forward with the scheme.

#### **Recommendation(s)**

##### **The Committee is asked to RESOLVE that:**

1. The King Charles Road closure to motor vehicles be made permanent and the necessary statutory process be undertaken to make the order permanent
2. The objections received as part of the statutory consultation be set aside in line with the details in paragraphs 45 to 48
3. The physical closure (bollard) be replaced with ANPR cameras, subject to funding being made available by TfL and in line with paragraph 30.
4. The scheme will be monitored, with additional traffic and air quality data being collected, and an update report be brought to the committee for information in 12 months time

#### **Benefits to the Community:**

It is considered that the proposals will improve the local area and make it more attractive for our residents, creating an environment that encourages more walking and cycling.

#### **Key Points**

- A. In March 2020 the world was hit by the COVID-19 pandemic, and the changing travel patterns presented both an opportunity and a threat. The opportunity was that the council was able to bring forward at a quicker pace than expected a number of 'low traffic neighbourhood' (LTN) or 'streetspace' projects which would help deliver the council's longer term vision of a cleaner greener borough, tackling the climate crisis and air quality.
- B. We want to make Kingston a clean, green and safe borough for all residents. It is therefore important that our analysis looks at other factors such as the impact of the

schemes on air quality, traffic flows and cycling patterns. LTNs are an important tool to make local roads safer for pedestrians and cyclists, and so to help tackle our climate crisis, improve air quality and make our neighbourhoods better places to live. to make local roads safer for pedestrians and cyclists. LTNs encourage active travel, which in the long term helps to protect the environment and reduce carbon emissions.

- C. The Council originally identified four scheme locations for LTNs, which were set out in the report to the Response and Recovery Committee on 30 July 2020. It included a scheme for the King Charles Road area in Surbiton Neighbourhood, and the scope of the scheme area can be seen on the plan at Annex 1.
- D. The process used to implement the LTNs was an 'Experimental Traffic Management Order' (ETMO). Use of this process was strongly encouraged by central government and TfL. This is a common process which allows the immediate implementation of measures on a trial basis and a consultation running in parallel with the implementation of the experiment, although it is not the 'usual' way that Kingston has implemented traffic management and improvement projects of this type.
- E. The ETMO process includes a six month engagement period at the start of the trial. The experimental scheme itself can remain in place for up to 18 months in total. In addition to the formal traffic order consultation, residents were able to submit their views about the LTN schemes online 'informally' using the Kingston Let's Talk portal. Over 270 residents submitted their views via Kingston Let's Talk on the LTN on King Charles Road. The engagement process also included reaching out to stakeholder groups, setting up the Street Talk publication and feedback through the Streetspace email inbox and via Members. The engagement feedback is, however, only part of the overall analysis process, which includes the longer-term policy ambitions for the Council, as set out in the context below.
- F. Although there was a formal process by which responses to the ETMO could be made, it was felt the series of questions used for the Let's Talk survey would capture more precisely people's experiences and attitudes to the LTNs. Detail on Let's Talk is set out in para 12 below.
- G. The borough's key Transport Strategy, the Local Implementation Plan 3 (LIP3), and the Corporate Plan are aligned in terms of focussing on measures to address traffic flows in residential areas.

## **Context**

1. We must change the way we travel around the borough if we are to achieve our air quality goals and reach net zero carbon emissions. COVID-19 has had a significant impact on the way we use our streets in responding to the public health crisis and there is a degree of uncertainty about how future travel patterns will change.

2. Through the development and delivery of the annual programme of Local Implementation Plan (LIP) schemes officers were aware of locations across the borough where through traffic had been identified as being too high, including, in Surbiton Neighbourhood, along King Charles Road. Due to the pandemic, TfL withdrew much of its usual funding, however DfT and TfL made funds available to rapidly deliver 'streetspace' and LTN schemes, and this scheme was taken forward as a result.
3. The introduction of LTNs also support recommendations from Kingston's Citizens' Assembly on Air Quality, the Air Quality Action Plan and the council's emerging Climate Emergency Action Plan and it is noted that this Committee have recently supported proposals to introduce 20mph speed limit changes for all the residential roads in the neighbourhood, which when considered in conjunction with the measures in place in King Charles Road and the Go Cycle measures on Ewell Road, it is anticipated will enhance this local area further to provide an improved environment for walking and cycling.
4. The LIP3 was written to reflect the aims and objectives identified in Kingston's key existing and emerging policy and strategy documents, and also London wide and national policy guidance. Kingston's key policy documents include the existing and emerging Corporate and Local Plans. The LIP3 includes nine Mayor's Transport Strategy outcomes which it will be measured against, and Outcome 1 states that London/Kingston streets will be healthy and more Londoners will travel actively with borough objectives to deliver 20mph schemes across the borough on residential roads, and to create an environment that encourages a higher level of walking and cycling trips.

## **Proposal and Options**

5. The scheme itself involves the introduction of a road closure, which prevents motor traffic from heading along King Charles Road, and it was placed between the junctions of Beaconsfield Road and Alexandra Drive. The scheme involved putting in place two planters and a lockable bollard in the central road space between the planters, such that it could allow emergency service vehicles to gain access, should they wish to do so.
6. As highlighted above, because of the urgency with which the LTNs needed to be introduced the identification of the location and the consideration of any options was undertaken by officers at the time of the bid submission.
7. During the ETMO process officers used a number of methods of engagement to ensure we were collecting information and data from a wide base of interested parties, and a further assessment of the responses can be seen later in the report (paragraphs 43 and 44).
8. These included setting up surveys for each LTN scheme on our Kingston Let's Talk engagement portal; enhanced messaging using social media channels and resident publications through our communications team; set up the Street Talk publication, which was distributed as a newsletter through the engagement portal; engaged with residents through the streetspace email; taken into account formal objections raised through the ETMO Process; and we undertook a stakeholder feedback review to make it easier for stakeholder groups to give their

comment, which included specific sessions with colleagues from the emergency services. The feedback from those engagement streams can be seen in Annex 2.

9. In support of the engagement process officers also undertook data collection to help assess the impacts of the scheme, and it is important to stress and acknowledge that during the pandemic traffic flows were not at the same levels as they were before the pandemic struck. Annexes 3 and 4 provide the details of the traffic, Annex 5 provides some information on cyclists using the facility and air quality information that was gathered and modelled during the experimental period is covered in Annex 6.
10. It is also highlighted that there were variations in traffic patterns as the scheme settled down, and in addition to this there were a number of times when other works took place - mainly on the nearby Ewell Road, which may have resulted in additional traffic displacement. This monitoring of the changes to traffic patterns before and after implementation of the scheme was gathered to support any decision being taken to extend the trial, make it permanent or remove it.

### **Officer commentary and Recommendations**

11. This section of the report will expand on the feedback received to the various elements of engagement referred to above in Paragraph 8.

#### Let's Talk Portal

12. In terms of the Let's Talk portal the analysis covers the two key questions asked, and then covers the themes of comments made by the people who responded;
  - How do you feel about the changes we have made in King Charles Road? (Respondents were asked to state if they were; Very Happy, Happy, Neutral, Unhappy or Very Unhappy)
  - Would you like to see the changes become permanent? (Respondents were asked to answer; Yes, No or Don't Know)
13. The responses have been analysed at three different levels to identify if there were any variations in the responses at a Boroughwide, Neighbourhood and Local level and the headline figures are as follows: overall total received 274, which includes 10 where no location was indicated and 4 where the location given was outside the borough. 42.3% of respondents indicated they are either happy or very happy with the scheme and 42% have indicated they would like the scheme made permanent. 54.7% of respondents have indicated they are either unhappy or very unhappy with the changes, while the same percentage do not want the scheme made permanent.
14. At a neighbourhood level: Total received 203 including the LTN area, which represents 1.2% of the 16,691 addresses within the neighbourhood. 40.9% of respondents indicated they are either happy or very happy with the scheme and 41.4% have indicated they would like the scheme made permanent. 55.7% of respondents have indicated they are either unhappy or very unhappy with the changes, while the same percentage do not want the scheme made permanent.
15. At a local level: Total received 127, which represents 3.9% of the 3251 addresses within the leafleted area as shown on the plan, Annex 1. 45.7% of respondents indicate they are either happy or very happy with the LTN and 46.5% would like the scheme made permanent. 49.6% of respondents have indicated they are

either unhappy or very unhappy with the changes and 48.8% do not want the scheme made permanent.

#### Streetspace Email Inbox

16. In terms of the Streetspace inbox of the 45 respondents 11 have also recorded their views on the Let's Talk Portal. 5 respondents also recorded their views via the TMO inbox, while 5 recorded their views on all three platforms. Overall, the response indicates that 24.4% of respondents are happy and 66.7% of respondents are unhappy with the LTN scheme. The overriding theme of the comments sit within category 3 (Displacement of traffic, pollution), which 31.1% of respondents touched on.

#### ETMO Responses

17. In response to the ETMO the number of representations received totalled 45. 33 of these have been determined by the borough's technical operations team to represent objections, while 5 persons have written in support. 7 comments did not constitute an objection or support. Examining the objections further there is an indication that 29 are local to the King Charles Road area, and the officer recommendations on these objections can be found in paragraphs 45 to 48.

#### Emergency Services

18. Representatives of the emergency services covering the borough of Kingston were invited to comment, along with attending an emergency services stakeholder working group.
19. **The London Fire Brigade (LFB)** - The LFB's position regarding the use of physical barriers throughout the Borough to create LTNs is that this could cause an increase in traffic levels and access issues, therefore increasing response times to incidents. For these reasons the LFB does not support their use but does accept there is a need for the Council to implement these measures in response to central government guidelines
20. The LFB would prefer to see the use of alternate measures such as automatic number plate recognition (ANPR) cameras to enforce LTN's. Moreover, the LFB will continue to engage and offer guidance to Kingston council when supplied with plans on proposed, or changes to, existing LTN measures. The LFB agreed with a LAS comment at the stakeholder meeting, that as the lockdown measures are relaxed and road traffic levels increase, further analysis of emergency vehicle response and any difficulties encountered will need to be discussed and current LTN's reviewed.
21. Where residents complain and claim that emergency vehicles are delayed/stuck/impinged by LTN measures, data such as times and dates are useful to gather views and information from crews. To date, we have not received any information from crews of any delay in attendance to an incident within the Borough.
22. **The London Ambulance Service (LAS)** - LAS commented as follows; We are opposed to any physical barriers in place on any LTN schemes but would support enforcement through ANPR cameras with exemptions for emergency service vehicles. We have worked with various other boroughs across London who have listened and changed the method of enforcement to the camera system.

23. It would not be practical to equip our fleet with these universal keys (to allow bollards to be unlocked) as it is not always guaranteed that we would have a local ambulance crew attend if for example call volumes were high and the nearest vehicle was dispatched from Fulham.
24. **The Metropolitan Police Service (MPS)** - The MPS traffic officer commented; My only view is that the Met Police prefer 'No motor vehicle' signage with ANPR camera enforcement, rather than any physical barrier. This allows emergency vehicle access without the need to remove barriers, whilst preventing any other access.

#### Other Stakeholders

25. **Transport for London (TfL)** - No major issues identified at the time of the meeting with TfL advising that the bus operators have not raised any delay issues with them. Further journey time data has been requested from TfL, and at this stage it has not been received.
26. **Kingston Centre for Independent Living (KCIL)** - Interest in LTNs generally and not about a specific scheme. This is in relation to the safety of service users and how accessible the schemes are for people with wheelchairs and those with ambulatory difficulties.
27. Noted that KCIL had Blue Badge Holders who had been asking if they can access LTN areas. It was noted that the schemes were road closures and as such did not impede on footways but were designed to improve access for people walking.
28. **Taxis and Private Hire Vehicles** - Nothing specific was raised by the group. It was noted that depending on where passengers were picked up or dropped off in relation to the LTN, this might increase the fare, and that this could impact those using taxicards or wheelchair accessible taxis. While there hadn't been particular issues, this might change as we continue to emerge from lockdown and traffic increases.
29. **Kingston Cycling Campaign (KCC)** - LTNs seem to be doing their job. Think generally these schemes are doing great. Impact particularly noticeable on King Charles Road.
30. Officers' conclusions and recommendations are based on a number of elements, but the feedback from other stakeholders has been positive on the whole, with an overriding theme, led by the emergency services, being requests for the method of traffic control to be changed from a barrier to a prohibition on access enforced by ANPR cameras, and given the location of the closure it is likely that this will require the use of 2 cameras, but this will be confirmed as part of the detailed design should the committee agree this way forward. A change to this method of control would remove any potential impact on emergency response times, which was also a concern expressed by other respondents.

#### Traffic Data

31. As part of the data collection all immediately affected roads around the scheme area were included within a monitoring plan, where traffic flows were recorded at regular intervals during the project. This allowed officers to compare the flows before the scheme was introduced, and then at different stages during the

experimental period.

32. As stated above, it is important to highlight at this stage that the pandemic resulted in significant changes to the daily travel patterns across the country, and what were considered 'normal' traffic flow conditions changed during this period. There are permanent counters on King Charles Road and Ewell Road, which have allowed officers to assess traffic levels in the area prior to COVID-19, and demonstrate traffic had been stable (up to and including 2019).
33. The data collected indicates that there are some roads which have seen a clear reduction in traffic flows, which are those to the east of the closure in Derby Road and King Charles Road eastern end. There are some roads that have seen increases against the September traffic baseline, in particular Hollyfield Road and Browns Road. It can be seen that Browns Road flows are comparable to those levels of traffic pre-COVID-19, but this is not the case for Hollyfield Road, where it is considered this is most likely displaced traffic from King Charles Road.
34. It is also noted that Raeburn Avenue traffic flows increased significantly from the January 21 counts to the April 21 counts, and that when compared to pre-COVID-19 levels there was still an increase in flows of 15-25%. Whilst this is quite a significant increase, it is believed that some of this displacement was in part due to the impacts of road works on the Ewell Road, it is accepted that this will not be the case for all of the traffic so continued close monitoring will be required.
35. It is recommended that further traffic monitoring is put in place specifically for Hollyfield Road and Raeburn Avenue, so we have more data to help decide whether further traffic management measures may be needed in these roads.

#### Air Quality Data

36. The traffic data that was collected was also used to assess the air quality impacts, and it should be noted that ideally when assessing air quality robust air quality monitoring requires a minimum of six months of data, both before and after the introduction of a highway intervention, to account for the impact of the weather and other confounding variables. The requirement for these schemes to be delivered with a very short turnaround meant that it was not possible to collect adequate baseline air quality monitoring data.
37. In order to circumvent this challenge the council carried out air quality modelling around the LTNs, to assess the impact of the change in traffic patterns on air quality at sensitive receptors, both within and outside the neighbourhoods.
38. The model uses the traffic data collected before and during implementation of the LTNs. This data is translated into air pollution emissions using The Department for Environment, Food and Rural Affairs Emissions - Factor Toolkit. Emissions are then used to derive concentrations of key pollutants at user-defined sensitive receptors. Model outputs are verified and adjusted using data from our existing, permanent network of air quality monitors.
39. This is a well-established, industry standard methodology that eliminates the impact of confounding variables, allowing the impact of the LTNs to be isolated and quantitatively assessed. This modelling was carried out by independent consultants, who provided feedback on all of the LTN schemes.

40. Annex 6 provides the outputs from the modelling exercise, with focus on the key pollutant of concern to air quality; nitrogen dioxide (NO<sub>2</sub>). From the table it can be seen that the variations in the Nitrogen Dioxide concentrations were in the main considered negligible, and even in those roads where we have seen traffic levels increase - Hollyfield Road, Browns Road and Raeburn Avenue, the data shows a minor variation of 1.6, 1.1 and 1.6 µg/m<sup>3</sup>.
41. There is also some evidence, to show that there is a slight improvement in conditions in Derby Road. These results have also identified that there have been slight reduction in NO<sub>2</sub> levels at the sites on Ewell Road throughout the modelling exercise, with those results showing reductions of 2.3, 2.2 and 2.3 µg/m<sup>3</sup>.
42. Based on the data that has been received from the modelling assessment, it supports the recommendations for the current measures to be made permanent. Furthermore, it is recommended that, subject to Committee's approval, a further Air Quality assessment is included in the review report in 12 months time.

#### Objections to ETMO

43. The scheme was processed as an ETMO, and so the Committee need to consider the objections that were raised during the 6 month trial period, and should members wish to proceed to make the scheme permanent, either in its current form, or with minor amendments, then the objections received must be considered, dealt with and set aside. The objections/support received during the trial period can be found at Annex 7.
44. The comments of respondents deemed to have written in support of the ETMO, or to have lodged an objection, can be categorised as follows;

TMO Objection or Support	Ref	Issues Highlighted	Number of people	Response
Support	S1	Highlighting local benefits including a better walking and cycling environment	5	noted
Objection	O1	Concerns about displacement of traffic and increased air pollution on affected roads	22	Not founded but further monitoring recommended in relation to a few roads
Objection	O2	Concerns about increased travel times and/or delays	6	Noted but policy supports the intervention
Objection	O3	Concerns about safety of road users	4	Not founded
Objection	O4	Combination of O2&O3	3	As above
Objection	O5	Concerns about impact on emergency services	3	Not founded. ANPR will mitigate

Objection	O6	No traffic issues before introduction of modal filter	1	Not agreed
Objection	O7	Added to impact of recently installed cycle lanes on Ewell Road	1	Noted, ongoing monitoring recommended

45. Officers have reviewed the objections and consider that they can be set aside. The traffic data analysis and the air quality report have indicated that from the whole area only Hollyfield Road and Raeburn Avenue have seen increased traffic flows, which need to be further monitored and reviewed, but the general findings are that, overall, there is less traffic on the local road network.
46. There is some evidence to show that traffic flows at the north end of King Charles Road have increased but there are existing cut through routes that affect this section of road using Surbiton Hill Park and Elmbridge Avenue, so it is not possible to attribute all of the traffic here to the LTN scheme. The objections that state the scheme will create displacement/delay issues are therefore not substantiated.
47. The data provided by the air quality modelling demonstrates that the proposals have had only negligible impact on the area, but as recommended above (paragraph 42), the exercise will be repeated as part of the 12 month review. Any objections that relate to air quality issues can therefore be set aside.
48. Whilst the emergency services did not raise specific objections to the current measures, with the removable bollard in place, it was clear they would prefer a scheme that replaces the closure with ANPR cameras to address their concerns. This is part of the recommendations, and as such any objections that reference this as an issue have been dealt with.

## Other headings

### Legislation

49. The works to be undertaken to highways in due course, as set out in the report, are within the Council's powers in the Local Government Act 1972, the Highways Act 1980 and the Localism Act 2011.
50. The Committee will need to consider the objections raised during the ETMO process and if they wish to proceed with the scheme a decision is required to assess those objections and set them aside prior to undertaking the statutory process of making a permanent TMO. The officer assessment of those objections is set out in paragraphs 45 to 48.

### Timescale

51. Subject to Committee approval, officers will progress to a permanent TMO, and this will be timed to coincide with the introduction of the ANPR cameras. It is likely that this will take 12-16 weeks.

### Financial Context

52. The council is operating in an increasingly challenging financial environment. Kingston faced a number of financial challenges in the medium to longer term -

even before the COVID-19 outbreak, which has further added to these challenges. The economic and financial consequences of the pandemic, growing demand for services, and limited government grant funding make it difficult to find adequate funds to meet the borough's needs.

53. The future of local government finance faces a significant level of uncertainty. The impact of the Fair Funding Review and a future review of business rates is currently unknown, and the lasting effects of COVID-19 on our residents, local businesses and the Council itself remain uncertain.
54. Despite these challenges the council has a drive and commitment to ensure it is doing the best for residents and communities

### **Financial and Resource Implications**

55. TfL funding is currently uncertain, but officers advise that, should the Committee wish to proceed and make the scheme permanent, a bid has been submitted to TfL to secure the necessary capital funding. It is anticipated that the outcome of the bid will be known prior to the Committee, and an update will be provided on the night. It is however considered that this scheme is a borough priority and will be promoted as such in any discussion with TfL. Should the funding not be forthcoming, the committee can ask officers to identify other funds internally, although nothing is currently identified, or to proceed with a scheme without ANPR cameras for the time being.
56. There are ongoing operating costs in relation to ANPR cameras. These will be offset to some extent by any fines issued, but net operating costs will still need to be funded from within existing budgets in Parking Services and Highways.

### **Legal Implications**

57. Under section 159 of the GLA Act 1999, financial assistance provided by TfL must be for a purpose which, in TfL's opinion, is conducive to the provision of safe, integrated, efficient and economic transport facilities or services to, from or within Greater London.
58. Where schemes are approved and receive funding, all procedures, including consultation, will be undertaken in accordance with the relevant statutory provisions and best practice.
59. Any legal implications associated with the Statutory TMO process have been considered as part of this committee report that covers objections received to that process.

### **Risk Assessment**

60. A detailed risk assessment of the scheme will be carried out should members resolve to make the scheme permanent. During the experimental trial period the scheme was monitored regularly to allow any day to day risks to be assessed. It is noted that at the start of the scheme additional advanced signage was needed to ensure that drivers were given sufficient warning so that they could make decisions at an early stage about how they might continue their journeys.

### **Equalities Analysis**

61. Whilst there is an overarching EqIA in place for the LIP and neighbourhood projects, a supporting EqIA has been undertaken for this project has been completed and is attached at Annex 7. It is noted that this document was not prepared in advance of the scheme but at that stage, officers, having reviewed the existing LIP EqIA, considered that it was unlikely that the measures would disproportionately impact anyone with protected characteristics.
62. As a part of the 6 month trial period officers approached Stakeholder Groups to understand any issues that they had and welcomed input from them. A workshop was held, and stakeholders invited to attend and share their feedback, and an interesting point to note was raised, whereby colleagues from KCIL highlighted that many of their members had actually been shielding for most of the experimental trial period, and as such would not have experienced its impact. It was agreed that further sessions with KCIL would be set up to revisit the scheme, and feedback from those sessions will be incorporated into the 12 month review.

### **Health Implications**

63. LTN schemes are embracing a different approach, and by encouraging all aspects of sustainable travel modes within and through an area, will have positive health implications for residents, through promoting walking, cycling and the use of public transport. It is therefore anticipated that the scheme will have a positive impact on people's health and wellbeing locally.

### **Road Network Implications**

64. The Council has a statutory responsibility under the Traffic Management Act 2004 to maintain road network operations on its strategic roads. Traffic movements have been monitored as part of the scheme trial period, and it can be seen in Annexes 3 and 4 that there has been limited impact on the main road network.
65. It has been highlighted that there has been an impact on Hollyfeld Road and Raeburn Avenue, and if the scheme is approved officers will continue to monitor these impacts and assess what mitigating measures may need to be considered, such as yellow lines to provide new passing places or additional traffic measures.

### **Sustainability Implications**

66. The overall assessment of the sustainability implications for this LTN is that there will be a positive impact on the environment resulting from such healthy street projects, as they aim to encourage mode shift towards less polluting forms of transport.

### **Background papers**

None other than those referred to in this report.

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