

## Kingston Town Neighbourhood Committee - 27 July 2021

### Lower Ham 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 (portal/email/ETMO), comment on traffic surveys and air quality assessments and potential impacts and to seek a way forward with the measures.

#### Recommendation(s)

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

1. The Lower Ham 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 paragraph 43 to 45.
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 make our roads easier to use and 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) projects.
- 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 Lower Ham Road area, 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 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.
- 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. In total, 152 residents submitted their views via Kingston Let's Talk on the LTN on Lower Ham 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. This looks at the longer-term policy ambitions for the Council, as set out in the context below.
- F. 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 help tackle our climate crisis and air quality and 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.
- G. 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 (see the six questions below).
- H. 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. This report outlines how the Council can further improve our public

realm and further develop our commitment to environmental sustainability as our 'Streetspace' is enhanced following the impact of COVID-19.

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 issues had been identified as being too high, including Lower Ham Road. As such these locations were proposed for installation as part of the Streetspace Programme and funds were made available from TfL and DfT to enable introduction of this programme, which replaced much of the usual LIP programme for Kingston in 20/21.
3. The introduction of Low Traffic schemes 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 proposal 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 Lower Ham Road and the Go Cycle measures across the borough, it is anticipated will enhance this local area further to provide an improve environment for walking and cycling.
4. The LIP3 was written to reflect the aims and objectives identified in RBK's key existing and emerging policy and strategy documents, and also London wide and national policy guidance. RBK's key policy documents include the existing and emerging Corporate and Local Plans. The LIP3 includes nine MTS 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 Lower Ham Road, and it was placed between the junctions of Bank Lane and Woodside Road. The scheme involved putting in place three planters so that standard motor vehicles could not enter yet would allow cyclists.
6. As highlighted above, because of the urgency with which the Low Traffic schemes 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 experimental TMO 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 Annexes 2 provides an assessment of the responses.
8. These included setting up surveys for each LTN scheme of 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 TMO 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.

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. Annex 3 provides the details of the traffic and air quality information that was gathered during the experimental period.
10. It is also highlighted that there were variations to traffic patterns as these schemes settled down. This monitoring of the changes to traffic patterns before/ after, was gathered to support the process before any decision is 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 Lower Ham 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 152, which includes 12 where the location given was outside the borough. 57% of respondents indicated they are either happy or very happy with the scheme and would like the scheme made permanent. 38% of respondents have indicated they are either unhappy or very unhappy with the changes, with 40% who do not want the scheme made permanent.
14. At a neighbourhood level: Total received 116, including the LTN area, which represents 0.7% of the 17,731 addresses within the neighbourhood. 57% of respondents indicated they are either happy or very happy with the scheme and 59% have indicated they would like the scheme made permanent. 37% of respondents have indicated they are either unhappy or very unhappy with the changes, while 40% do not want the scheme made permanent.
15. At a local level: Total received 51, which represents 6.3% of the 808 addresses within the leafleted area as shown on the plan, Annex 1. 49% of respondents indicate they are either happy or very happy with the LTN and 53% would like the scheme made permanent. 41% of respondents have indicated they are either unhappy or very unhappy with the changes and 43% do not want the scheme made permanent.

### Streetspace Email Inbox

16. In terms of the Streetspace inbox, of the 28 persons who responded through the streetspace inbox, 3 have also recorded their views on the Let's Talk Portal. 4 of the persons also recorded their views via the TMO inbox, whilst 1 recorded their views on all three platforms. Overall the response indicates that 22% of respondents are happy and 54% of respondents are unhappy with the LTN scheme. The overriding theme of the comments were about 'Resources better spent elsewhere', which 32% of respondents touched on.

### ETMO Responses

17. In response to the Experimental TMO the number totalled 7. 6 of these have been determined by the borough's technical operations team to represent objections, while 1 was neither objection nor support. Examining the objections further there is an indication that 6 are local to the Lower Ham Road area, and the officer recommendations on these objections can be found in paragraphs 43 to 45.

### 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 Lower Traffic Neighbourhoods is this could cause an increase in traffic levels and access issues, and 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 ANPR to create and 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 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 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 - they had comments from 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 taxi cars or wheelchair accessible taxis. While there hadn't been particular references, 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 very 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 an automatic number plate reading camera. 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 Lower Ham 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). This indicates that we can be reasonably confident that the pre-COVID data is broadly representative of the situation prior to the impact of COVID-19

33. The map of traffic flows in Annex 3 shows data collected during four date periods and is an average over several days. There is a general trend whereby traffic levels had a dip around January 2021, which can be attributed to lockdown during the Covid pandemic. However it also shows an increase after this time. This appears to be the case for all the roads in the Low Traffic Neighbourhood area around Lower Ham Road, which implies that none of the individual roads display increases in traffic as a result of displacement from an adjacent road but that the traffic levels are the result of general conditions across the area.
34. It is recommended that further traffic monitoring is put in place, so we can create additional layers of knowledge here which will assist any consideration of whether further traffic management measures may be needed in these roads.

#### Air Quality Data

35. The traffic data that was collected was also used to assess the air quality impacts, and it is acknowledged 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.
36. In order to circumvent this challenge the council carried out air quality modelling around the low traffic neighbourhoods, to assess the impact of the change in traffic patterns on air quality at sensitive receptors both within and outside the neighbourhoods.
37. 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.
38. 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.
39. 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 considered negligible or slight, even in those roads where we have seen traffic levels increase.
40. Based on the data that has been received from the modelling assessment, it supports the current 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

41. The scheme was processed as an Experimental TMO, and as such 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.
42. The comments of respondents deemed to have written in support of the ETMO or to have lodged an objection can be categorised as follows;

<b>TMO Objection or Support</b>	<b>Ref</b>	<b>Issues Highlighted</b>	<b>Number of people</b>
Support	S1	Highlighting local benefits including a better walking and cycling environment	0
Objection	O1	Concerns about displacement of traffic and increased air pollution on affected roads	2
Objection	O2	Concerns about increased travel times and/or delays	0
Objection	O3	Concerns about safety of road users	0
Objection	O4	Combination of O2&O3	
Objection	O5	Concerns about impact on emergency services	1
Objection	O6	No traffic issues before introduction of modal filter	3

43. Officers have reviewed the objections and consider that the objections received can be set aside. The traffic data analysis and the air quality report have indicated that in general, there is less traffic on the local road network around Lower Ham Road, but this will continue to be monitored and reviewed.
44. The data provided by the Air Quality modelling demonstrates that the proposals have had only negligible or slight impact on the area, but as recommended above 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.
45. 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 to address their concerns. This is part of the recommendations, and as such any objections that reference this as an issue has been dealt with.

## **Legislation**

46. 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.
47. 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 recommendations and set them aside prior to making a permanent TMO.

## **Timescale**

48. Subject to Committee approval, officers will progress the 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**

49. 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.
50. 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.
51. 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**

52. The position around TfL funding is currently uncertain, but officers can advise that should the Committee wish to proceed and make the scheme permanent there is a current bid lodged with TfL to secure the funding to do so. It is anticipated that the outcome of the bid will be known prior to the Committee, and an update on the funding position 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

## **Legal Implications**

53. 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.
54. Where schemes are approved and receive funding, all procedures, including consultation, will be undertaken in accordance with the relevant statutory provisions and best practice.

55. Any legal implications associated with the Statutory TMO process will be considered as part of any committee report that covers objections received to that process.

## **Risk Assessment**

56. 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**

57. 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.
58. 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 and other interested stakeholders would be set up to revisit the scheme, and feedback from those sessions will be incorporated into the 12 month review.

## **Health Implications**

59. 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**

60. 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.

## **Sustainability Implications**

61. 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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