

<b>REPORT TO:</b>	<b>Traffic Management Advisory Committee 11 November 2021</b>
<b>SUBJECT:</b>	<b>Croydon Healthy Neighbourhoods</b>
<b>LEAD OFFICER:</b>	<b>Sarah Hayward – Interim Corporate Director Sustainable Communities, Regeneration &amp; Economic Recovery  Steve Iles - Director of Sustainable Communities</b>
<b>CABINET MEMBER:</b>	<b>Councillor Muhammad Ali Cabinet Member for Sustainable Croydon</b>
<b>WARDS:</b>	<b>Addiscombe West &amp; East, Broad Green, South Norwood and Woodside</b>

#### **COUNCIL PRIORITIES 2020-2024**

- *We will live within our means, balance the books and provide value for money for our residents.*

Central government is clear that the only transport investment funding currently available to London local authorities is that with which to:

- adjust Low Traffic Neighbourhoods (and other schemes to aid walking and cycling implemented in response to the COVID19 pandemic) where it is necessary to take account of real-world feedback, the aim and funding being to retain schemes and adjust, not remove them, unless there is substantial evidence to support this.
- implement more Low Traffic Neighbourhood type schemes and other schemes intended to help people choose to walk and cycle.

It is equally clear that central government considers the premature removal of schemes to have implications for public money, and those local authorities that remove schemes prematurely should expect to receive reduced transport funding in the future.

- *We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice.*

The proposals are part of a wider programme agreed by Cabinet at its 26 July 2021 meeting. The proposals in this report, and the wider programme, are intended to speed delivery of the Mayor of London's Healthy Streets and Vision Zero objectives. They seek to help all to travel actively and sustainably, to walk and cycle and use public transport, bringing benefits in terms of healthy weight, improved air quality, free/low cost travel, benefits expected to accrue more strongly to the most deprived communities. They seek to tackle environmental injustice addressing the traffic impacts arising in access streets in some of the parts of the borough with the highest levels

of deprivation and some of the lowest levels of car ownership. They seek to make the streets available to children again, returning children's' independent mobility and communal play.

- *We will focus on providing the best quality core service we can afford. First and foremost, providing social care services that keep our most vulnerable residents safe and healthy. And to keep our streets clean and safe. To ensure we get full benefit from every pound we spend, other services in these areas will only be provided where they can be shown to have a direct benefit in keeping people safe and reducing demand.*

The proposals and wider programme are focussed on providing safer street space in which people can choose to walk or cycle, helping all become more active and in turn healthy, ultimately accruing savings for the NHS and Council care services.

#### [Council's priorities](#)

#### **FINANCIAL IMPACT:**

The majority of the cost of implementing the recommended schemes will be met from Active Travel Funding (ATF) provided to London by central government and administered by Transport for London (TfL). The ATF is not meeting the full cost of cameras to enforce the 'No Motor Vehicle' restrictions that would implement the recommended experimental schemes. Cameras would be provided by deploying a number already acquired as part of the recently let contract to provide such CCTV equipment, and by redeploying a limited number from existing locations. Any remaining unmet cost would be met from the Parking Account.

At the end of July, the Minister for Transport wrote to Leaders of all combined, transport and highway authorities in England to advise on the funding implications associated with the removal of LTNs and other similar Active Travel Funded projects. The letter advises:

*'if these schemes are not given that time to make a difference, then taxpayers' monies have been wasted. Schemes need time to be allowed to bed in; must be tested against more normal traffic conditions; and must be in place long enough for their benefits and disbenefits to be properly evaluated and understood. ...Schemes must not be removed prematurely, or without proper evidence and too soon to collect proper evidence about their effects.....'*

*Premature removal of schemes carries implications for the management of the public money used in these schemes and for the government's future funding relationship with the authorities responsible. The department will continue to assess authorities' performance in delivering schemes and, following the precedent we have already set, those which have prematurely removed or weakened such schemes should expect to receive a reduced level of funding.'*

(Letter at Appendix 1)

**KEY DECISION REFERENCE NO.: 5121SC, 5721SC and 5821SC**

The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.

**RECOMMENDATIONS:**

1. That the Traffic Management Advisory Committee recommend to the Cabinet Member for Sustainable Croydon that they agree:

1.1 (subject to Spending Control Panel approval) to replace Temporary Low Traffic Neighbourhoods (LTNs) with Experimental Croydon Healthy Neighbourhoods (CHNs) at:

- (i) the 'Dalmally Road area'
- (ii) the '*Elmers Road area*'
- (iii) the '*Parsons Mead area*'
- (iv) the '*Sutherland Road area*'
- (v) the '*Holmesdale Road area*'
- (vi) the '*Albert Road area*'
- (vii) the 'Kemerton Road area'

by the making of Experimental Traffic Regulation Orders (ETROs) to operate for up to 18 months as detailed at Paragraph 2.7 and Appendix 4 of this report, with exemptions as described at Paragraph 2.7.

1.2 to delegate to the Director of Public Realm the authority to vary the provisions of the ETROs including the exemptions to the restrictions and the lessening of restrictions as deemed appropriate as part of the experimental trials.

**1. EXECUTIVE SUMMARY**

1.1 The report makes recommendations regarding the future seven Temporary LTNs implemented in response to

- the COVID19 Pandemic;
- Statutory Guidance issued by the Secretary of State for Transport; and
- calls to address the speed and volume of traffic in certain local access streets/unclassified roads.

It reports the results of recent online questionnaire based 'listening' conducted at each LTN area. It recommends making each LTN a time limited Experimental CHN. The recommendations are made in the light of the:

- updated Statutory Guidance;
- Traffic Management Duty and the achievement of the expeditious flow of traffic;
- policy including government's Cycling and Walking plan for England;
- Council Priorities, in particularly 'providing value for money';
- Croydon Climate Change Crisis;

- findings of and limited reach of the questionnaire based ‘listening’;
- Equality Analysis; and
- road classification/hierarchy

The report explains that the recommended Experimental CHNs would allow the gathering of robust evidence on which to base decisions as to the long term future of each the LTNs/CHNs.

## 2. THE RECOMMENDED HEALTHY NEIGHBOURHOODS

### Background

- 2.1 From May 2020, Temporary LTN measures were quickly implemented in Croydon, (as elsewhere in London and nationally) in response to:
- the COVID19 Pandemic;
  - calls to address the speed and volume of traffic in local access streets / unclassified roads; and
  - Statutory Guidance issued by the Secretary of State for Transport

funded through TfL’s COVID19 related Streetspace Plan for London programme, with implementation further guided by evidence from TfL to support the Streetspace Plan, in particular TfL’s:

- Strategic Neighbourhood Analysis<sup>1</sup> identifying areas to be considered for LTN implementation; and
- Temporary Strategic Cycling Analysis<sup>2</sup> identifying priority cycling corridors along which cycling is to be accommodated.

(summary information at Appendix 2).

- 2.2 First published in May 2020, The Secretary of State for Transport’s statutory guidance ‘Traffic Management Act 2004: Network Management to Support Recovery from COVID-19’ called on local authorities to take swift action to create space for social distancing, walking and cycling, with the measures including using planters to close streets to create LTNs. The Guidance has been updated over the intervening period. The most recent iteration<sup>3</sup> published 30 July 2021 reminds local authorities that (following the publication of ‘Gear Change’ the government’s Cycling and Walking plan for England), central government continues to expect local authorities to take measures to reallocate road space to people walking and cycling explaining that: *‘The focus should now be on devising further schemes and assessing COVID-19 schemes with a view to making them permanent. The assumption should be that they will be retained unless there is substantial evidence to the contrary.’*
- 2.3 In March 2021, TfL issued ‘Interim Guidance for Delivery Using Temporary and Experimental Schemes’ (replaced by ‘Guidance for delivery of experimental

<sup>1</sup> <https://content.tfl.gov.uk/lsp-app-six-b-strategic-neighbourhoods-analysis-v1.pdf>

<sup>2</sup> <https://content.tfl.gov.uk/lsp-app-four-analysis-temp-sca-v1.pdf>

<sup>3</sup> <https://www.gov.uk/government/publications/reallocating-road-space-in-response-to-covid-19-statutory-guidance-for-local-authorities/traffic-management-act-2004-network-management-in-response-to-covid-19>

Healthy Streets Schemes' October 2021<sup>4</sup>) advising on the future of temporary schemes implemented in response to the COVID19 Pandemic under Temporary Traffic Regulation Order (TTRO) or Experimental Traffic Regulation Order (ETRO). The Interim Guidance explained that with an Experimental Traffic Order TRO, the main statutory public consultation is undertaken when the experimental scheme is in place. The Interim Guidance however suggested that local authorities should undertake a period of 'active listening' with residents, businesses etc. before the statutory public consultation period suggesting that while the 'active listening' is not formally required, it may generate feedback indicating reasonable adjustments to a proposed experimental scheme.

### The Temporary LTNS

- 2.4 The Temporary LTNs were largely implemented by placing wooden planters to close streets to through motor traffic in Addiscombe West & East, Broad Green, South Norwood and Woodside wards as detailed at Appendix 3. The Parsons Mead area Temporary LTN in Broad Green is different to the others in a number of respects:
- a) it was already identified as an area for intervention as part of the 'Reconnecting Old Town Liveable Neighbourhood' programme, following (and a part of) the successful Liveable Neighbourhood funding bid to TfL. The Liveable Neighbourhood proposals included engaging with residents on a proposed LTN, before beginning to design and consult on measures to address traffic cutting through this northern part of the Liveable Neighbourhood area (activities planned but not implemented prior to the COVID19 Pandemic).
  - b) TfL's Temporary Strategic Cycling Analysis, identifies London Road as one of London's Priority Cycle Corridors, but also suggests that much of London Road is too narrow for segregated cycle lanes. Cycle lanes were implemented on Croydon Council's section of London Road last year (in response to the COVID19 Pandemic) extending southwards as far as Handcroft Road. The Temporary LTN continues the Priority Cycle Corridor into the Town Centre at West Croydon via Handcroft Road and Parsons Mead, then connecting through North End (and the COVID19 related cycle measures in the High Street), to Brighton Road where further cycling improvement measures are proposed<sup>5</sup>.
  - c) It was the last to be implemented in Croydon in the summer of 2020 under the London Streetspace Plan programme. Its design was shaped through feedback from the Emergency Services (and their need for free movement through LTNs); and residents living in Temporary LTNs owning cars, not wanting to be inconvenienced when driving in and out of LTNs to and from their homes.

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<sup>4</sup> [guidance-for-delivery-of-experimental-healthy-streets-schemes-oct21.pdf \(tfl.gov.uk\)](#)

<sup>5</sup> Cabinet Report '2021/22 (Part) Local Implementation Plan Funding, Bus Priority Funding and Active Travel Funding Programme' 26 July 2020, Key Decision ref 3621CAB

- 2.5 The Holmesdale Road area Temporary LTN sits on another of the TfL identified Priority Cycling Corridors, namely that from the Crystal Palace Triangle to the Croydon Town Centre. The first part of that Corridor would be accommodated / implemented by the implementation of the Crystal Palace and South Norwood Experimental LTN/CHN agreed following Traffic Management Advisory Committee in February and confirmed by Cabinet in June (Key Decision ref: 6520SC, Minute ref:91/21). The Corridor is then picked up by the recommended Holmesdale Road area Temporary LTN/CHN as it leaves Southern Avenue and joins Holmesdale Road. Infrastructure to accommodate the southern end of the Priority Cycle Corridor was implemented last summer within the Town Centre at Dingwall Road and Sydenham Road, using Emergency Active Travel Funding provided by central government. The LTNs / proposed CHNs form part of a coordinated programme of measures focussed on the Town Centre principally through the north of the Borough to provide strategic active travel routes through the part of the Borough with the greatest potential for cycling and walking, in the London borough with the greatest potential for cycling and walking. The potential programme (subject to funding and other matters) was agreed by Cabinet in July (Key Decision ref 3621CAB). The map appended to the Cabinet report, indicating the location and relationship between projects forming the programme, is at Appendix 6 to this report.

#### The Recommended Experimental Croydon Healthy Neighbourhoods

- 2.6 The term 'Low Traffic Neighbourhood' does not convey the ultimate objective of removing extraneous traffic from local access streets. That objective is to provide quieter streetspace in which people can choose to travel actively on foot or on bike, and to help reclaim the streets' traditional role of shared movement and community space. Hence the move from the term 'LTNs', to 'Croydon Healthy Neighbourhoods'.
- 2.7 The Temporary Traffic Orders implementing the LTNS are nearing the end of their 18 month life. It is recommended to continue to pursue the objectives of the LTNs whilst gathering robust data on which to base decisions as to their future, by replacing each with time limited Experimental CHNs. The CHNs would be implemented by largely replacing the temporary planter closures, with ANPR camera enforced 'No Motor Vehicles' restrictions and signs. The exceptions are the Kemerton Road Temporary LTN, parts of the Albert Road area temporary LTN and a section of Holmedale Road. Kemerton Road would remain closed at its junction with Jesmond Road, but with an exemption for emergency services' vehicles. Apsley Road and Belfast Road (in the Albert Road area LTN) would similarly remain 'closed', as would a section of Holmesdale Road. The recommended Experimental CHNs would be implemented by the following restrictions:
1. at the '*Dalmally Road area*' prohibit access and egress by motor vehicles (other than certain exempt vehicles) at its junction with Blackhorse Lane.
  2. at the '*Elmers Road area*' prohibit access and egress by motor vehicles (other than certain exempt vehicles) at its junction with Blackhorse Lane.

3. at the '*Parson's Mead area*':

- a) prohibit access and egress by motor vehicles (other than certain exempt vehicles) at the following locations:
  - (i) on Parsons Mead at a point between its junctions with Gardners Road and Montague Road.
  - (ii) on Derby Road at a point east of its junction with Parsons Mead and Clarendon Road.
  
- b) *on Handcroft Road permit cycling in a direction counter to the one-way working between Sumner Road and London Road.*

4. at the '*Sutherland Road area*' prohibit access and egress by motor vehicles (other than certain exempt vehicles) on Sutherland Road at its junction with Canterbury Road.

5. at the '*Holmesdale Road area*':

- a) prohibit access and egress by motor vehicles (other than certain exempt vehicles) at the following locations:
  - (i) on Elm Park Road at its junction with South Norwood Hill.
  - (ii) on Holmesdale Road at its junction with the north side of Park Road.
  - (iii) on Holmesdale Road at a point between its junction with Holmesdale Close and its junction with Oliver Grove.
  
- b) close Holmesdale Road at its junction with the south side of Park Road to all motor vehicles except emergency services' vehicles.

6. at the '*Albert Road area*':

- a) prohibit access and egress by motor vehicles (other than certain exempt vehicles) at the following locations:
  - (i) on Albert Road at its junction with the south eastern side of Eldon Park Road.
  - (ii) on Albert Road at its junction with the south eastern side of Harrington Road.
  
- b) close:
  - (i) Apsley Road.
  - (ii) Belfast Road.at the junction with Albert Road to all motor vehicles except emergency services' vehicles.

7. at the '*Kemerton Road area*' close Kemerton Road at its junction with Jesmond Road to all motor vehicles except emergency services' vehicles.

The 'No Motor Vehicles' restrictions and signs implementing the Experimental CHNs, would not apply to:

- 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;
- 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 premises in the area, which necessitates the bringing of vehicles into a section of road to which the order applies;
- d) buses;
- e) licensed taxis
- f) Dial-a-Ride vehicles;
- g) vehicles to which a valid exemption permit has been provided.

The vehicles to which an exemption permit would be provided are:

- a) up to three vehicles belonging to a resident within the Experimental CHN areas (see maps within leaflets at Appendix 4.) registered to the resident's address within the Experimental CHN. This will also apply to all residents that have off-street residential parking access from within the area of the Experimental CHN.
- b) up to two vehicles nominated by a blue badge holder.
- c) vehicles belonging to staff of schools within the Experimental CHNs.
- d) vehicles used by district nurses in the course of their duties.
- e) Vehicles used by care givers of sick and/or disabled residents within the area of the CHNs.

Yellow line 'No Waiting at Any Time' restrictions would be implemented adjacent to the 'No Motor Vehicle' restrictions/signs, where required to provide vehicle turning space.

2.8 Reasons for recommending 'No Motor Vehicles' restrictions and signs to implement experimental CHNs, (rather than physically closing the street to through motor traffic), include:

- ease of access for emergency services vehicles,
- ease of access for motor vehicles belonging to residents within a CHN; and
- findings of the Equality Analysis, (ie the use of physical closures can unnecessarily impact the movement of members of certain groups with protected characteristics).

2.9 Cabinet (26 July 2021), agreed the 2021/22 programme of Active Travel measures. The Experimental CHNs are a key part of that programme and are expected to have a combined effect greater than the sum of their parts. Individually, the Parsons Mead area and Holmesdale Road area Experimental CHNs potentially contribute the most to achieving central government, Mayoral and Council objectives, due to:

- The Parsons Mead area Experimental CHN's strategic role as part of the Priority Cycle Corridor focused on the London Road, into the Town Centre,



and down the Brighton Road to Purley, whilst also addressing ‘*environmental injustice*’, removing high volumes of through traffic from an area of local access streets with low car ownerships and high levels of deprivation.

- The Holmesdale Road area Experimental CHN’s strategic role as part of the Priority Cycle Corridor from the Crystal Palace Triangle to the Croydon Town Centre, whilst also addressing longstanding concerns about vehicle speed and numbers in Holmesdale Road.

### Monitoring of the Experimental CHNs

2.10 The Temporary LTNs were implemented as a matter of urgency during a period of constrained travel / very different travel patterns. There was not the opportunity to undertake meaningful traffic surveying. As the COVID19 Pandemic subsides, the Experimental CHNs would be monitored and tested against more normal traffic conditions as part of the rigorous assessment of benefits and disbenefits expected by the Secretary of State. Monitoring and evaluation strategies will be put in place for each of the recommended Experimental CHNs, each informed by TfL’s ‘Borough Monitoring Guidance for Healthy Streets Schemes’<sup>6</sup> and the Secretary of State’s statutory Guidance. The starting point for factors to be monitored and assessed are those indicated in the TfL Guidance.

Table 1. TfL suggested monitoring at LTNs and other schemes

Examples of monitoring activity	Cycleways	Low-traffic neighbourhoods	School streets	Bus lanes/bus priority	Behaviour change activity e.g. bike markets
All-vehicle traffic counts	✓ Link counts	✓ Cordon counts	✓ Cordon counts	✓	✗
Pedestrian and cycle counts	✓ Link counts	✓ Cordon counts	✓ <sup>8</sup>	✓	✗
Pedestrian comfort evaluation	✓	✓	✓	✓	✗
Individual surveys	✓ User	✓ Resident	✓ Pupil, parent/carer and/or resident	✓	✓
Business surveys	✓	✓	✗	✓	✗
Traffic speeds	✓	✓	✓	✓	✗
Parking counts (car and cycle)	✗	✗	✓	✓	✗
Bus speeds / journey times	✓	✓	✗	✓	✗
Safety data	✓	✓	✓	✓	✗
Penalty Charge Notices issued	✗	✓	✓	✗	✗
Air Quality	✓	✓	✓	✓	✗
Review of ongoing public feedback	✓	✓	✓	✓	✗
Ongoing liaison with emergency services	✓	✓	✓	✓	✗

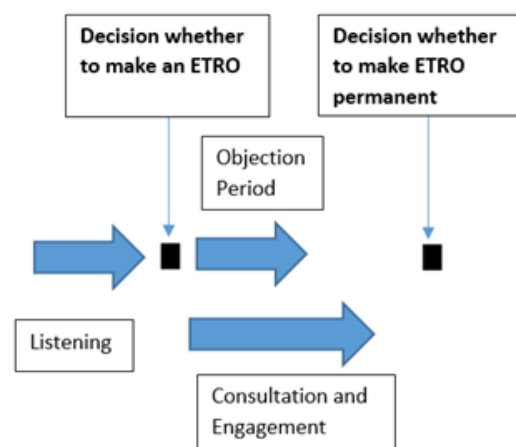
<sup>6</sup> <https://content.tfl.gov.uk/monitoring-guidance-for-healthy-streets-schemes-boroughs-oct21.pdf>

## Engagement and Consultation during the Experiments

2.11 The statutory objection period during the operation of an ETRO is six months. When determining whether to make an Experimental CHN permanent at the end of the experimental period, any objection received following the notice of making the ETRO, is treated as an objection to a Permanent CHN. The Experimental CHNs would be accompanied by a process of focussed stakeholder engagement including with members of groups with protected characteristics that could not be effectively engaged with during the Covid19 Pandemic. This can extend beyond the six month objection period. It will follow the new standards for consultation set by:

- the Secretary of State's Statutory Guidance, including the use of objective methods, such as professional polling, *'to provide a genuine picture of local opinion, rather than listening only to the loudest voices.'*
- TfL's reiterating the Public Sector Equality Duty and requiring local authorities to understand the effect of schemes on all groups and the views of all groups, including those with protected characteristics

**Figure 1. Listening, Objection and Engagement / Consultation**



The engagement strategies and process will be guided by TfL's recent guidance<sup>7</sup>.

### Matters to Consider when Deciding to Remove a Temporary LTN and/or Implement an Experimental CHN

2.12 The recommended ETROs would be made under Section 9 of the Road Traffic Regulation Act 1984. In exercising its powers under the Act, the Council is required (by virtue of Section 122 of the Act) 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 street, whilst at the same time having regard to the following considerations:

- the desirability of securing and maintaining reasonable access to premises;
- the effect on the amenities of any locality affected
- air quality;
- facilitating the passage of public service vehicles and securing the safety and convenience of persons using them; and
- any other matters appearing to the Council to be relevant.

<sup>7</sup> <https://content.tfl.gov.uk/guidance-for-delivery-of-experimental-healthy-streets-schemes-oct21.pdf>

The recommended CHNs are intended to secure the expeditious and convenient movement of traffic by allowing people to choose more space efficient forms of transport (walking, cycling and public transport) / to use the car less. The move to camera enforced 'No Motor Vehicles' restrictions with wide exemptions, is intended to secure reasonable access to premises. The CHNs are intended to improve safety for the most vulnerable road users. They are also intended to improve the amenity of the areas they cover, by creating quieter street space, in turn facilitating walking, cycling, play and community development. Providing space in which people can chose to walk or cycle is a major part of central government's and the Mayor's approach to improving air quality. The recommended CHNs are intended to help people choose public transport including passenger service vehicles (buses) over the car, by providing quieter streets in which to walk or cycle to / from public transport. Monitoring (with TfL) of bus journey times and reliability on routes near the Experimental CHNs, would inform recommendations for the future of the Experimental CHNs. Other matters relevant to the decision to make the ETROs (and the removal of LTNs) include Statutory Guidance, plans and advice from central government, namely:

- the Secretary of State's (amended) Statutory Guidance on The Traffic Management Duty and the COVID19 Pandemic, states that LTNs must be given time to settle in; that robust evidence must be gathered on which to base decisions about their future; and that engagement, especially on schemes where there is public controversy, should use objective methods, such as professional polling, to establish a truly representative picture, explaining that consultations are not referendums and polling results should be just one part of a suite of robust, empirical evidence on which decisions are made.
- central government's 'Gear Change: A Bold Vision for Cycling and Walking'<sup>8</sup> sets a vision of a future where over half of journeys in towns and cities are walked or cycled and there is much less 'rat running' and far more LTNs.
- 'Gear Change: One Year On'<sup>9</sup> (published as the Secretary of State last updated his Statutory Guidance), provides further advice and information on matters addressed in the Statutory Guidance. In his Forward the Prime Minister sets out the government's view/strategy:

*'I know many people think that cycling and walking schemes simply increase car traffic on other roads. But there is now increasing evidence that they do not. We sometimes think of traffic as like water: if you block a stream in one place, it will find the next easiest way. Of course some journeys by car are essential, but traffic is not a force of nature. It is a product of people's choices. If you make it easier and safer to walk and*

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf)

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007815/gear-change-one-year-on.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007815/gear-change-one-year-on.pdf)

*cycle, more people choose to walk and cycle instead of driving, and the traffic falls overall.*

*I support councils, of all parties, which are trying to promote cycling and bus use. And if you are going to oppose these schemes, you must tell us what your alternative is, because trying to squeeze more cars and delivery vans on the same roads and hoping for the best is not going to work. And as the benefits of schemes increase over time, what opposition there is falls further. That is why schemes must be in place long enough for their benefits and disbenefits to be properly evidenced.'*

The document includes the statements:

- England's urban roads are filling up. Between 2010 and 2019, traffic in urban areas grew by a quarter – and on side streets, often unsuitable for volume traffic, it grew by a third. Ride-hailing services, more delivery traffic, and apps which direct people down rat-runs have all played their part.
- LTNs have been perhaps the most contested element of the government's recent cycling and walking programme – though the concept, under various names, has been widespread for decades. Many of the LTNs in England existed before 2020, in some cases since the 1970s. It is estimated that more than 25,000 road closures of the type used in LTNs existed before the pandemic.
- Emerging monitoring data from recent LTNs and that from longer-established schemes shows significant reductions in traffic, and significant increases in cycling and walking.
- LTNs work because the people living in them, several thousand in each area, change their travel behaviour – taking fewer short local journeys by car and walking or cycling more. This takes local traffic away from the surrounding roads too. On those roads, the reduction in these local car journeys appears, in most though not in all cases, to outweigh any increase caused by the diversion of longer-distance car journeys by people passing through. But changes in travel behaviour don't happen overnight. The longer a scheme is in place, the greater its effect, on both the LTN and the surrounding roads. This is why schemes must be given enough time to prove – or disprove – themselves.
- Cycling and walking schemes can create passionate opposition, but there is now clear evidence that neither the opposition – nor the passion – reflects public views. Multiple independent professional polls over the last year, and the government's own polling and surveys, show consistent public support for the measures on cycling and walking councils have taken, more than two to one on average among those who express a preference. Support for individual schemes, such as LTNs, by people living in the areas concerned is at similar levels, whenever polled or surveyed professionally. Contrary to claims of a 'culture war,' most people do not feel strongly about these schemes. The majority of both support and opposition is "tend to support" or "tend to oppose." There are often significant numbers of people who, when asked, neither support nor oppose schemes. What opposition there is to cycling and walking schemes also appears to diminish in time. It is therefore important that

consultation captures a genuinely representative picture of local views. That means listening to all, including the quieter and less vocal, not simply the most passionate. It is intended to inform decisions that members and officers make on these schemes, not to substitute for that decision making; and the consultation materials must include proper evidence and information about the effects of the proposals. No scheme (or indeed almost any meaningful policy of any kind) will ever have unanimous support. Some councils appear to be searching for a formula which can make meaningful cycling and walking schemes acceptable to everyone, but this does not exist. Government is clear that councils must not expect or require universal support and must avoid allowing any group to exercise a veto. Public views on contested schemes must be captured accurately, through professional polling.

It reiterates the warning:

*'We will reduce funding to councils which do not take active travel seriously, particularly in urban areas. This includes councils which remove schemes prematurely or without proper evidence, and councils which never installed them in the first place. As Gear Change said, an authority's performance on active travel will help determine the wider funding allocations it receives, not just on active travel.'*

## 2.13 Further matters relevant to the decision to make the ETROs include

- Public feedback so far.
- The Public Sector Equality Duty and the findings of the Equality Analysis.
- Central Government's 'Decarbonising Transport A Better, Greener Britain', the plan for net zero carbon transport, which sets a series of priorities, the first of which is 'Accelerating modal shift to public and active transport' including through many more Low Traffic Neighbourhoods.
- The Mayor of London's Transport Strategy which uses the 'Healthy Streets Approach' to prioritise human health in planning the city and aiming for streets and street networks that encourage walking, cycling and public transport use to reduce car dependency and the health problems it creates.
- S144 of the Greater London Authority Act 1999 requiring London local authorities to have regard to the Mayor's Transport Strategy when exercising any function (including removing Temporary LTNs and / or implementing Experimental CHNs).
- Croydon Council's statutory 'Local Implementation Plan' (its plan to implement the Transport Strategy within Croydon) and the objectives and targets within it.
- The system of Road Classification, the roads / streets within the LTNs/CHNs being unclassified and hence intended only for low volume, low speed local traffic.

Matters relevant to the decision are set out in more detail at Appendix 7 and other appendices, and addressed in the following sections of this report.

### 3. CONSULTATION

- 3.1 The Croydon Healthy Neighbourhoods webpage<sup>10</sup> provided information about the proposed next steps for each of the Temporary LTNs. It included links to:
- questionnaires seeking views on each of the Temporary LTNs, their proposed replacement Experimental CHN, and information about the responder's travel behaviours etc; and
  - the leaflets giving information about the proposed changes to each the Temporary LTNs (Appendix 5).
- 3.2 The leaflet for the Kemerton Road Area Temporary LTN, proposed transition to a Permanent CHN. Each of the leaflets relating to the other six Temporary LTNs explained the:
- proposed transition to Experimental CHNs and their implementation using ANPR camera enforced 'No Motor Vehicles' restrictions and signs; and
  - exemptions that would apply, including exemption permits for vehicles owned by residents within the area of each of the Experimental CHNs.

Maps showing the areas in which residents would be eligible for exemption permits for their vehicles were included. The leaflets were delivered to properties within those areas. The leaflets gave the link to the area specific online questionnaire. The leaflet relating to the Parsons Mead area LTN included two options for Derby Road, namely converting the temporary closures to an experimental camera enforced 'No Motor Vehicles' restriction / signs; or to experimental one-way working, with the questionnaire seeking views on both.

- 3.3 Notices were placed on lamp columns in each of the Temporary LTN / proposed CHN areas, advising of the engagement and online survey. They included QR codes linking to the relevant questionnaire.
- 3.4 The responses received to all seven of the questionnaire based listening exercises, followed a pattern that was both similar to and different from the pattern of responses to the engagement conducted towards the latter part of last year regarding the Crystal Palace and South Norwood Temporary LTN. They were different in terms of:
- Quantity in that the number of responses to the surveys at each of the seven Temporary LTNs were in the hundreds or less, rather than the thousands received in response to the Crystal Palace and South Norwood Temporary LTN engagement.
  - Geographical Spread, in that the areas from which the response were received were relatively local to each of the Temporary LTNs, compared with the wide area of South London and beyond, from which responses to the Crystal Palace and South Norwood engagement were received.

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<sup>10</sup> [www.croydon.gov.uk/healthyneighbourhoods](http://www.croydon.gov.uk/healthyneighbourhoods)

They were similar in that the self-selected sample populations do not reflect the population within and around the Temporary LTNs. They differ from the population in around the Temporary LTNs in a number of important ways, principally in terms of:

- **age** The responding samples/populations were generally older (responses from people in or approaching middle age predominated, the questionnaire exercise failing to reach or illicit responses from younger people and in some instances also generating fewer responses from the over 65's)
- **race/ethnicity** Those identifying as White British were generally more strongly represented amongst the self-selected sample populations (the exception being the Parsons Mead area responses), than amongst the population local to each of the Temporary LTNs.
- **income** Amongst those responding to the survey and choosing to indicate their household income, it appears high relative to the levels of deprivation and average income in the areas the Temporary LTNs were focussed on.
- **car availability** The responding samples/populations were much more likely to own a car or van / have a car or van available than the general population locally. (Some of those who do not own a car/van, may have felt that they do not have a voice on the matter of LTNs).

- 3.5 The questionnaire survey results highlight the level of what the Secretary of State's Guidance calls 'public controversy' associated with LTNs. Hence the Guidance should be followed and objective methods such as professional polling be used, *'to establish a truly representative picture of local views'* and *'Polling results should be one part of the suite of robust, empirical evidence on which decisions are made.'*
- 3.6 They survey results reveal the reasons why the respondents do not walk or cycle more. The reasons most frequently given generally being 'Concerns about Road Safety/Road Danger', 'Traffic Speed', 'Traffic Volume', 'Unpleasant Street Environment', all of which LTNs / the recommended CHNs aim to address. At the Parsons Mead area the reasons for not cycling or walking more include Concerns about Personal Safety, a matter LTNs also help address (see Crime and Disorder Reduction Impact Section of this report).
- 3.7 Summaries of each of the sample populations and views of those populations are at Appendix 8a, comparing responses from within each LTN /proposed CHNs with responses from beyond the LTN/ proposed CHN. Full analysis reports are at Appendix 8b. The survey results are suggesting that as well as scientific polling, there is a need to engage in some depth with the residents in each area during the Experiments, including through a process of 'co-design' (as called for in some of the additional submissions regarding the Albert Road and Holmesdale Road areas). This will allow concerns to be explored and informed by data emerging from local monitoring and from LTNs elsewhere in London and nationally. Concerns frequently expressed via the questionnaire surveys include concerns about CHNs displacing traffic onto neighbouring roads / surrounding main roads, and a preference for planters closing streets as they felt to avoid people being find and make the street look better. The design of the areas where experimental restrictions are implemented, should

be a key focus of the 'co-design'. Whether a physical closure or 'closure' by 'No Motor Vehicle' restrictions, the area at those locations can be designed such that it is a positive improvement to the streetscape. The design can further emphasise the 'No Motor Vehicles' restrictions.

3.8 Additional submissions have been received (Appendix 8c). A submission from Croydon Living Streets relaying the views of children regarding the Albert Road area LTN, is addressed in the Equalities Impact section of this report and at Appendix 9. A submission made by the Holmesdale Community Action Group, Croydon Living Streets, Croydon Climate Action, Croydon Cycling Campaign and Shape Better Streets, is strongly supportive of the proposal to move to Experimental CHNs but asks that the:

- planters be retained in place of the proposed camera enforced 'No Motor Vehicles' signs; and
- Council engages locally to achieve the optimum, design for the CHNs.

It sets out arguments for continuing with LTNs / CHNs at these locations including as part of a wider strategy to support active travel. It addresses the five claims made in the Open our Roads leaflet distributed locally to the LTNs, indicating why the claims are false or incorrect. An email from the Holmesdale Community Action Group emphasises:

- It is often the case when introducing change, it is negative voices that tend to dominate the debate to the detriment of all others. We fear this is what has happened in South Norwood.
- The many beneficial effects the LTNs have had on our local community have been overshadowed.
- The positive experiences resulting from the LTNs in South Norwood.

A further paper 'Croydon Healthy Neighbourhoods. Paper by Shape Better Streets, Croydon Cycling Campaign, Croydon Living Streets, Cypress School Cycling Club' states that:

- Healthy neighbourhoods schemes work: indeed they are the only demonstrably practical and successful way of promoting active travel
- Decisions following consultation should not be a numbers game
- There is no credible Plan B
- A further phase of public engagement is the right approach

The covering email expresses strong support for the Council's ambitions on climate and healthy neighbourhoods. It urges retaining the LTNs currently in place, proceeding with the revised scheme in Crystal Palace/South Norwood, and embarking on a strong programme of engagement to ensure there is an informed debate with the participation of all elements in the community. It suggest that the demographic which tends to dominate responses to surveys conducted at the LTN areas over the summer, is not representative of the community as a whole, and that there are numerous examples of opposition campaigners 'gaming and cheating them'.

3.9 The 'listening' has shown, (as found elsewhere in Croydon, London and the UK), that the swiftly implemented LTNs have generated a lot of what the Secretary of State has referred to as "noise" and "passion", generally from those opposed to their principle or at least wishing to continue driving through local



access streets. The recommended Experimental CHNs provide the opportunity to undertake the more focused research and engagement (including public opinion surveying), required by the Secretary of States Statutory Guidance, and following TfL's newly issued Guidance, in order to inform the decisions on the future of the time limited LTNs/CHNs.

#### **4. REASONS FOR RECOMMENDATIONS**

4.1 Having considered the 'listening' feedback, the nature of the sample population(s) from which feedback was received, the most recent iteration of the Secretary of State's Statutory Guidance, and the various other matters within this report and appendices, it is recommended to move cautiously from the Temporary LTNs to time limited trials in the form of Experimental CHNs. This is to allow what the Secretary of State requires, namely:

- schemes to be given time to settle in;
- robust evidence to be gathered on which to base decisions about their future;
- fuller engagement, including professional polling, to establish a truly representative picture.

4.2 At Parsons Mead area, the recommendation includes beginning the Experiment with ANPR camera enforced 'No Motor Vehicles' restriction and signs, 'closing' Derby Road to motor vehicles (except exempt vehicles), rather than the option of one-way working, an option explored during the 'listening'. A move to the lesser restriction of one-way working can be considered during the period of the ETRO in the light of the results to be obtained from professional polling and other evaluation of the experiment (restrictions can be lessened during an ETRO, they cannot be increased). At Kemerton Road, a proposal to move from Temporary LTN / TTRO to Permanent CHN / permanent closure of Kemerton Road, was the subject of the 'listening'. The numbers of residents originally calling for the closure of Kemerton Road, leading to the implementation of the Temporary LTN, were high. For this reason, it was initially proposed to move from Temporary LTN and to Permanent CHN. However, in the light of the feedback during 'listening', the recommendation is to only move to a time limited Experimental CHN, to allow consultation and engagement, including via professional polling, to clearly understand views across the local population.

4.2 The recommended Experimental CHNs address many of the concerns and criticisms levelled at the Temporary LTNs. By exempting vehicles belonging to residents within the areas of the Experimental CHNs, the inconvenience to those living within the Temporary LTNs and owning cars (due to the increased distance to drive to and from their homes in the LTNs) is removed. The recommended CHNs respond to concerns regarding emergency service vehicles, the 'No Motor Vehicles' restrictions allowing ease of access for emergency service vehicles. They also responds to concerns regarding ease of access for health care workers by including exemption permits for vehicles used by district nurses and other carers. They facilitate access by Schools' SEN Transport Service buses, Dial-a-Ride vehicles, Community Transport minibuses, licenced taxis and Blue Badge holders. However, the move to

camera enforced 'No Motor Vehicles' signs to implement Experimental CHNs appeared no more popular/less popular (amongst those responding to the 'listening' surveys), than the current Temporary LTNs. Moving to trial Experimental CHNs rather than Permanent CHNs, with more thorough community engagement and professional polling will allow these views and the reasons for them to be better understood, and potentially a different balance between physical closures and the use of 'No Motor vehicles' restrictions struck at some CHNs

- 4.3 An ETRO allows monitoring of the effects of the Experimental CHNs, including during the period after the Covid19 Pandemic subsides, as called for by the Secretary of State for Transport. Engagement during the Experiments will include the use of objective methods, such as professional polling, *'to provide a genuine picture of local opinion, rather than listening only to the loudest voices.'* It will provide an understanding of why those choosing to respond to the recent round of engagement, responded in the way they did. It will allow the views of a representative sample of the local community to be heard.
- 4.4 It is proposed that the Equality Analysis continue (informed by consultation and monitoring) during the operation of the Experimental CHNs, and that this inform the decision on the future of the experimental schemes. It is envisaged that the experiments will run for 12 months to fully assess their effects, at the end of which a recommendation would be brought to the Traffic Management Advisory Committee regarding the future of the experimental schemes.
- 4.5 Amongst those responding to the online questionnaires, there was clear and strong opposition to LTNs and proposed replacement CHNs. This however has been balanced against the matters at paras 2.12 and 2.13, and at appendix 7 of this report.

## **5 OPTIONS CONSIDERED AND REJECTED**

- 5.1 Removal of some or all of the Temporary LTNs is a potential option. However, the reasons why residents were calling for action to address high speed/high volume traffic, have not gone away. The pace at which local authorities were being asked to implement such measures has caused issues. Having called on local authorities to act swiftly to put these measures in, the now updated Statutory Guidance is warning local authorities against acting swiftly to remove them. The guidance is saying that the measures should kept in, be fully monitored and evaluated, and professional polling undertaken in order to gather a truly representative sample of local views. Government and TfL are going further, warning of likely funding consequences for those local authorities that remove or substantially water down these measures without having gathered strong evidence to justify doing so. So far this evidence has not been gathered, and the pre-consultation 'listening' did not illicit responses from representative sample populations. Whilst each of the Temporary LTNs was hurriedly implemented (largely in response to calls from residents), they are areas where TfL's Strategic Neighbourhood Analysis indicates such measures should be

considered, (in part because they are in some of the most deprived parts of the borough and parts where car availability / ownership is at its lowest). Whilst the process of delivery leaves much to be desired, the Temporary LTNs are beginning to provide large areas of quieter street space in which people can choose to walk and cycle, some of the areas directly picking up / accommodating major sections of the Priority Cycle Corridors identified by TfL. Hence removal at this stage is not considered an option, or at least not an easy option. Conversely, recommending implementing the CHNs on a permanent basis is not considered an option, in the light of the feedback received so far via the recent 'listening' process. Proceeding with the amended LTNs / the CHNs, but only for a further temporary/experimental period, allows the research to be undertaken to better understand local opinion including that amongst what the Secretary of State has called the 'silent majority'. For these reasons removal of the schemes was rejected as a recommendation, as was making the existing LTNs permanent, or implementing the proposed CHNs on a permanent basis.

## **6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

### **6.1 Revenue and Capital consequences of report recommendations**

The estimated expenditure to deliver, monitor and consult on the recommended seven Experimental CHNs is £980k in 2021/22. This will be predominately (see below and 6.3 'Risks' below) funded from Active Travel Funding (ATF) provided by central government via TfL and administered by TfL, of which £780k is allocated to the delivery of the seven Experimental CHNs. The ATF expenditure needs to be committed by 11 December 2021. A TfL funding deal beyond this point, has not yet been agreed with central government.

The cost of enforcement cameras is not being fully met by the ATF. Cameras not funded from ATF would be provided by deploying a number already acquired as part of the recently let contract to provide such CCTV equipment, and by redeploying a limited number from existing locations. If any further financial contribution is required, this would be provided via the Parking Account, which although is underperforming compared to the 2021/22 budget, is yielding revenues greater than previous financial years. Whilst the aim of enforcing any traffic restriction is to achieve 100% compliance, it is unlikely to be achieved. Revenue is expected to be derived as a by-product of issuing Penalty Charge Notices to enforce the 'No Motor Vehicles' restrictions and signs implementing the Experimental CHNs.

Monitoring and consultation costs would be incurred beyond 11 December including in 2022/23. If it is decided to make some or all of the Experimental CHNs permanent, the cost of doing so is expected to fall completely or partially within 2022/23 (with the remaining cost in the following year). Thus far there is no funding from/via TfL agreed beyond 11 December 2021.

## 6.2 The effect of the decision

If agreed, the recommendations will result in seven Experimental CHNs all but one implemented with ANPR camera enforced 'No Motor Vehicle' restrictions and signs. The enforcement is likely to result in a revenue stream, but one which will decline as compliance improves.

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
<b>Revenue Budget available</b>				
Expenditure				
Income				
<b>Effect of decision from report</b>				
Expenditure				
Income	Unknown	Unknown	Unknown	Unknown
<b>Remaining budget</b>				
<b>Capital Budget available</b>	780	Funding via TfL not		
Expenditure				
<b>Effect of decision from report</b>				
Expenditure	980	50		
<b>Remaining budget</b>				

## 6.3 Risks

The purpose of the recommended Experimental CHNs is to amend the operation of current Temporary LTNs and to keep the LTNs / replacement CHNs operating in order to gather data and to consult before bringing back recommendations on the future of the Experimental CHNs. Complete removal / or significant watering down of the current LTNs is likely to not only risk funding from central government via TfL in the current year, but to risk reduced or zero transport investment funding via/from TfL in future years. The Minister for Transport wrote to Leaders of all combined, transport and highway authorities in England regarding the funding implications associated with the removal of LTNs and other similar ATF projects advising that '*premature removal of schemes carries implications for the management of the public money used in these schemes and for the government's future funding relationship with the authorities responsible.*'

Whilst London is not amongst the combined transport authorities, the principles in the letter are being applied in London and similar warnings have been made in documents published by central government applicable to London. Several London local authorities had their July ATF funding allocation stopped by TfL,

pending discussions between the local authority and TfL regarding the removal of measures such as LTNs recently implement in response to the COVID 19 Pandemic.

#### **6.4 Options**

The options considered include not proceeding with the recommended experimental schemes. However, not to proceed would impact on the ability to deliver on each of the Council's Priorities addressed at the start of the report, and the ability to act on key recommendations of the Croydon Climate Crisis Commission. It would also risk Transport investment funding from central government via TfL.

#### **6.5 Future savings/efficiencies**

The CHNs and wider Active Travel programme is aimed at providing safer street space in which people can choose to walk or cycle. This is in large part to help all become more active and in turn healthy, ultimately accruing savings for the NHS and Council care services. Additionally, investment made now in successfully limiting Climate Change, reduces the future investment required to mitigate or adapt to the effects of Climate Change.

Whilst intended to ensure full compliance with the 'No Motor Vehicle' restrictions implementing the Experimental CHNs, ANPR camera enforcement will result in an income arising from Penalty Charge Notices. Any surplus (after meeting the operational costs of the trials), is ring-fenced for investment in Transport in Croydon, contributing towards the cost of the Older and Disabled Persons' Freedom Passes and highway maintenance etc in Croydon.

6.6 Approved by: Michael R Jarrett, Place Head of Finance.

## **7 LEGAL CONSIDERATIONS**

7.1 The Head of Corporate Law and Litigation comments on behalf of the Director of Law and Governance that, subject to compliance with statutory processes and broader public law principles, Croydon Council is able to make an Experimental Traffic Regulation Order ('TRO') under Section 9 of the Road Traffic Regulation Act 1984 ('1984 Act'), by virtue of the Experimental Order being for the purpose of 'prescribing streets which are not to be used for traffic by vehicles, or by vehicles of any specified class or classes, either generally or at specified times' under Paragraph 2 of Schedule 1 and Section 6 of the 1984 Act. The Experimental TRO must extend for no longer than 18 months.

7.2 The Order may be made subject to compliance with the procedure set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ('1996 Regulations'). Whilst statutory consultees are listed at Regulation 6 of the 1996 Regulations, there is no statutory requirement for public consultation. For the purposes of an experimental order, the Council is not required to publish a notice of intention or consider objections prior to making the ETRO. Croydon Council will be obliged to consider any such objections at

the point of a determination as to whether the Experimental CHN becomes permanent.

- 7.3 Croydon Council must publish a notice on making in relation to the Experimental TRO not less than seven days prior to it coming into force. The notice must include the following statements at Schedule 5 of the 1996 Regulations: 1) that Croydon Council will be considering in due course whether the provisions of the experimental order should be continued in force indefinitely 2) that within a period of six months – a) beginning with the day on which the experimental order came into force or b) if that order is varied by another order or modified pursuant to section 10(2) of the 1984 Act, beginning with the day on which the variation or modification or the latest variation or modification came into force, any person may object to the making of an order for the purpose of such indefinite continuation 3) that any objection must a) be in writing b) state the grounds on which it is made; and c) be sent to an address specified for the purpose in the notice making.
- 7.4 In addition to the statutory requirements, broader administrative law and duties ought to be considered. These have been substantively addressed within this report and appendices.
- 7.5 Under S121B of the 1984 Act, Croydon Council may not implement a TRO if it will, or is likely to affect a GLA Road, Strategic Road or a road in another borough unless it has notified TfL and the London Borough (as relevant) and the proposal has either (a) been approved; (b) received no objection within one month; (c) any objection has been withdrawn; or (d) GLA has given its consent after consideration of the objection.
- 7.6 Members are aware that the Council's Members Code of Conduct has recently been updated. All members should ensure that the Register of Interests is up to date.
- 7.7 Members of TMAC and the decision taker should have an open mind when considering this matter. Prior indications of a view on a matter do not amount to predetermination provided the decision maker has an open mind when considering the matter. This means that they take account of all information, including new information and reach their own conclusion, based on the evidence. It should be noted that Section 25(2) of the Localism Act 2011 states that a decision-maker is not to have had, or to have appeared to have had, a closed mind when making the decision just because—
  - (a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and
  - (b) the matter was relevant to the decision.
- 7.8 Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer.

## **8 HUMAN RESOURCES IMPACT**

- 8.1 There are no immediate HR impact issues in this report. If any should arise these will be managed under the Council's Policies and Procedures. Implementation of the recommendations should ensure continued transport investment funding to the Council from TfL/central government.
- 8.2 Approved by: Jennifer Sankar, Head of HR Place & Housing on behalf of the Human Resources Department.

## **9 EQUALITIES IMPACT**

- 9.1 In preparing the recommendations, due regard has been given to:
- exercising functions in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage (in accordance with the duty under section 1 of the Equality Act 2010). (The Temporary LTNs are focussed in parts of the Borough where deprivation is higher.)
  - the public sector equality duty in s149 of the Equality Act 2010.
- 9.2 The Equality Analysis (Appendix 10) begins by explaining that the proposed changes are a response to:
- historic decisions and current trends.
  - the Mayor of London's Transport Strategy (in particular the Healthy Streets objective)
  - the continuing Covid19 Pandemic and to Secretary of State's statements and Statutory Guidance relating to it.

It explains that historic decisions and current trends continue to have equality implications, children and young people being amongst the groups most impacted by the giving over of streets to increasing levels of motor traffic. It highlights the growth in vehicle miles on London's streets, and that growth being entirely on the minor unclassified roads / streets. It explains that whilst the above changes were not subject to any formal equality assessment, the Equality Analysis relates to proposed Experimental CHNs that aim to address some of the effects arising from past decisions and more recent trends.

- 9.3 The Equality Analysis concludes that the potential effects of the proposed change are greatest in terms of effects on members of a group with the 'Age' related protected characteristic. A quarter of the Borough population is under age 18, and consequently cannot drive. Young adults nationally are much less likely to hold a driving licence. Children are the group whose independent mobility has been most curtailed by past decisions, changes and trends. Through reduced freedom to travel actively and to play in the street, they are at risk of long term health issues. They are also the ones who will experience the greatest impacts of Climate Change, if CO<sub>2</sub> emissions (including those from road transport) are not addressed. At the other end of the age spectrum, the percentage of journeys made by older people in the UK, is very much lower than in many other northern European countries. Children and young people are amongst those considered most likely to benefit from the proposed scheme, but

it can help older people consider returning to cycling or to start cycling, including using E-bikes. The recent processes of 'listening' failed to illicit views from children and young people. Whilst 43% of the Borough population is 30 or under, the 'listening' only achieved a very small number of responses from members of this age group. Croydon Living Streets emailed in a collection of responses from some of the children who regularly travel along Albert Road (Appendix 9). Croydon Living Streets state in their email:

*'As I'm sure you're aware, children were not invited to respond to the consultation and their views are too often lost in the debate around how our streets should be made to work for all residents. The children who took the time over the last few days to share their views have described how much they have loved the way the planters have greened the streets, how the traffic island has offered space to play, but most of all how much they value quiet street'*

- 9.4 There is clear evidence that members of members of BAME groups feel at greater risk of road danger and are at greater risk. TfL reports that BAME Londoners are more at risk of being killed or seriously injured on London's roads, with children in this group being on average 1.5 times more likely to be affected than non-BAME children. BAME Londoners are less likely than white Londoners to say that they feel safe from accidents when walking around London during the day (22 per cent BAME feel 'very safe' compared with 30 per cent white)' <sup>11</sup>
- 9.5 The Equality Analysis has shaped the recommended Experimental CHNs. In particular the use of camera enforced restrictions on motor vehicles in place of physical road closures. These:
- Allow taxis and buses to pass through the proposed camera enforced 'No Motor Vehicle' restrictions to facilitate access by Dial-a-Ride, taxis, SEN Transport buses and Community Transport minibuses.
  - Widen exemption eligibility to:
    - holders of Blue Badge permits, enabling them to register up to two vehicles.
    - residents who require home care, given by professionals or family members, living within the area of the Experimental HNs, enabling them to nominate carers' vehicles to be provided with an exemption permit.
- 9.6 The Equality Analysis concludes that further Equality Analysis should be undertaken for the reasons:
- The Analysis should be further informed by research conducted during the recommended trials, research focused on the experiences of those of groups with protected characteristics predicted to be affected by the trial.
  - The recent 'listening' processes failed to achieve representative samples of the local communities. The Experiments should be undertaken along with consultation to include professional polling and other techniques to

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<sup>11</sup> <https://content.tfl.gov.uk/travel-in-london-understanding-our-diverse-communities-2019.pdf> page 29



achieve representative samples of the local populations (including the views of children and young people).

- The Croydon Mobility Forum has been unable to meet during the Pandemic. The Forum should be engaged with during the operation of the trials, its views informing the Analysis, the operation of the trials and the design and operation of any scheme that might follow the trials.
- The Equality Analysis should be concluded before any decision is made on the outcome of and the future for the trials and should be published as part of the documents used in making the recommendation.

9.7 Approved by: Denise McCausland, Equality Programme Manager.

## 10 ENVIRONMENTAL IMPACT

10.1 Central government's '*Decarbonising Transport A Better, Greener Britain*' commitments to '*Increasing cycling and walking*' with the aim that half of all journeys in towns and cities will be cycled or walked by 2030. It explains that implementing the Plan will deliver significant benefits in other areas as well as cutting CO<sub>2</sub>emissions, including:

- improved air quality;
- better places to live in;
- reduced congestion and noise; and
- increased reliability and affordability of transport/access – '*delivering better transport for everyone*'.

It explains the importance of creating LTNs ie they '*can provide clear, direct routes for cyclists and pedestrians that promote cycling and walking, significantly reducing accidents, noise, and air pollution for local residents.*'

10.2 The recommended Experimental CHNs support delivery of central government's and the Mayor's CO<sub>2</sub> reduction objectives, and the Croydon Climate Crisis Commission recommendations, namely:

- '**1. Getting the groundwork right: Rebuild trust with residents, community groups, trade unions and businesses.**' The extreme speed at which the LTN programme had to be delivered, and the very short term nature of the central government funding with which to deliver, all worked against this recommendation. The communications and engagement strategies for each of the Experimental CHNs need to fully take account of this key recommendation/objective and to support it.
- '**2. Driving a green economic recovery**'
- '**3. Greening our Neighbourhoods: Promote public transport and active travel to become the natural first choice – including pilot approaches to Low Traffic Neighbourhoods**'
- '**5. Achieving the scale of change**'

- 10.3 The approach of central government and the Mayor to reducing emissions both CO<sub>2</sub> and locally important air pollutants, is to:
- reduce reliance on the private car and other motorised transport including through the encouragement of active travel
  - reduce harmful emissions from the remaining vehicles.

The Mayor's report 'Air Quality in London 2016-2020'<sup>12</sup>, reports on the improvement made in terms greatly reducing the number of Londoners living in areas exceeding the legal limit for NO<sub>2</sub>. However, the situation is very different regarding very fine particulate matter. Nearly the whole of London exceeds the World Health Organisation (WHO) guideline limit for PM<sub>2.5</sub>, with 99 per cent of Londoners living in areas exceeding the WHO PM<sub>2.5</sub> limit. Fine particulate matter is no respecter of boundaries or ethnicity. With the exception of the very southern part of the Borough, all living within Croydon (whether in LTNs or on major road corridors) are experiencing PM<sub>2.5</sub> concentrations above the WHO limit value. LTNs/CHNS are a part of the suite of measures to help people choose to travel by non-polluting walking and cycling, and less polluting public transport.

- 10.4 Whilst advances in vehicle propulsion technology are reducing harmful emissions from each motor vehicle on Croydon and London's streets, there are important trends working against this positive effect. Vehicle miles driven on London's roads and streets decreased between 2000 and 2009<sup>13</sup>. Between 2009 and 2019, it rose to its highest ever at 22.6 billion vehicle miles. The same pattern is observed in Croydon<sup>14</sup>, with traffic levels rising to their highest ever at 0.94 billion vehicle miles in 2019. The traffic on London's A Roads and B Roads has been stable / declined slightly since around 2006 / 2007. The increase in vehicle miles has been entirely on London's unclassified roads / minor streets. Traffic on the unclassified roads / minor streets almost doubled from 5.4 billion vehicle miles in 2009, to 9.3 billion miles in 2019, reaching the point where London's minor streets are carrying almost as much traffic as its A Road network. In 2018, vehicles on Croydon's A Roads emitted 132,000 Tonnes of CO<sub>2</sub>, whilst 129,000 Tonnes of CO<sub>2</sub> were emitted from vehicles on minor roads<sup>15</sup>. As with locally important pollutants, there are two opposing trends, namely improving vehicle efficiency counteracted by increasing vehicle miles. Assessment of air quality effects will be part of the monitoring strategy for the recommended Experimental CHN's.

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<sup>12</sup> [https://www.london.gov.uk/sites/default/files/air\\_quality\\_in\\_london\\_2016-2020\\_october2020final.pdf](https://www.london.gov.uk/sites/default/files/air_quality_in_london_2016-2020_october2020final.pdf)

<sup>13</sup> <https://roadtraffic.dft.gov.uk/regions/6>

<sup>14</sup> <https://roadtraffic.dft.gov.uk/local-authorities/134>

<sup>15</sup> <https://naei.beis.gov.uk/laco2app/>

## 11 CRIME AND DISORDER REDUCTION IMPACT

11.1 Speeding and dangerous driving are possibly the crimes that directly kill or seriously injure more people in the UK than any other. In 2018/19 there were 579 police recorded 'causing death or serious injury by dangerous driving' offences in England and Wales<sup>16</sup>, compared with a total of 671 victims of murder, manslaughter and infanticide in the same year<sup>17</sup>.

11.2 The recommended Experimental CHNs are intended to provide safer street space in which people can choose to walk or cycle, the 'safer space' reducing the likelihood of people being the victims of crimes such as:

- Causing death by dangerous driving
- Causing serious injury by driving dangerously
- Causing death by careless driving
- Causing death by careless driving when under the influence of drink or drugs.

Crimes such as:

- Dangerous driving (under section 2 of the Road Traffic Act 1988)
- Driving without due care and attention ((careless driving) under section 3 of the Road Traffic Act 1988 (including failing to give a cyclist sufficient room when overtaking them)
- Driving under the influence of drink or drugs
- Exceeding the speed limit for a vehicle of the class that is being driven (Road Traffic Regulation Act 1984)

are potentially having a much larger indirect effect on health and mortality in the longer term, as these are the behaviours/crimes deterring/preventing people from choosing to travel actively.

11.3 Central government ('Gear Change: One Year On') reports that LTNs reduce street crime, increasing safety by putting more pedestrians and cyclists on the streets, citing research conducted at LTNs introduced in Waltham Forest<sup>18</sup>. The research concludes that overall, the introduction of a LTN was associated with a 10% decrease in total street crime, and this effect increased with a longer duration since implementation (18% decrease after 3 years). An even larger reduction was observed for violence and sexual offences, the most serious subcategory of crime. The only subcategory of crime that increased significantly was bicycle theft, plausibly largely reflecting increased cycling levels. There was no indication of displacement of any crime subcategory into adjacent areas.

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<sup>16</sup> <https://www.statista.com/statistics/303473/death-by-dangerous-driving-in-england-and-wales-uk-y-on-y/>

<sup>17</sup>

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/homicideinenglandanddwales/yearendingmarch2019>

<sup>18</sup> <https://findingspress.org/article/19414-the-impact-of-introducing-a-low-traffic-neighbourhood-on-street-crime-in-waltham-forest-london>

## **12. HEALTH IMPACT**

12.1 The Local Implementation Plan explains that:

- Croydon is facing a public health crisis related to inactivity.
- Inactivity is a major contributory factor to the levels of obesity in Croydon.
- One in five children in the school reception year is overweight or obese and this rate more than doubles between reception and year 6.
- Early childhood is a critical time to tackle childhood obesity as children are developing and learning healthy or unhealthy behaviours from a young age.
- By year 6 (age 10 to 11 years) a greater proportion of children in Croydon carry excess weight than in London or nationally. Two in five children aged 10 to 11 years in Croydon are overweight or obese and this proportion is increasing over time.

For adults the situation is more serious. Two in three adults (62%) of the population are overweight or obese and one in thirty working age people in Croydon have diabetes, a figure which is predicted to increase by 10% by 2025. Amongst older adults (over 65) one in eight are predicted to have diabetes and one in four are obese. Children in Croydon are growing up in a borough where it is normal to be overweight, emphasising why Croydon needs the infrastructure and cultural changes to enable everybody to incorporate exercise into their daily travel routine.

12.2 The Mayor's Transport Strategy '*Outcome 1: London's streets will be healthy and more Londoners will travel actively*' is expressed as Londoners doing at least the 20 minutes of active travel they need to stay healthy each day. This is translated into a target in the Croydon LIP. The target is based on the proportion of Croydon residents doing at least 2x10 minutes of active travel a day (or a single block of 20 minutes or more). The Croydon baseline was 26% of residents achieving this level of activity. The LIP target is 70% by 2041. The recommended Experimental CHNs, particularly when working in combination with the wider Active Travel programme measures are intended to help people be more active as they travel, helping address the obesity crisis facing Croydon.

## **13 DATA PROTECTION IMPLICATIONS**

13.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

**YES**

13.2 The collection and analysis of the responses to the listening exercise involved the processing of personal data for which Data Protection Impact Assessments were undertaken. Further consultation analysis, surveying and monitoring during the Experimental CHNs is likely to involve the processing of personal data. Further DPIAs will be undertaken as the engagement strategies are being prepared.

## HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

**NO**

13.3 As above, the further DPIAs will be undertaken as the engagement strategies are being prepared.

13.4 Approved by: Ian Plowright Head, of Strategic Transport on behalf of the Director of Public Realm.

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**CONTACT OFFICER:** Ian Plowright, Head of Strategic Transport.

### **APPENDICES TO THIS REPORT:**

- Appendix 1: Letter from Minister of Transport
- Appendix 2: TfL's Temporary Strategic Cycling Analysis and Strategic Neighbourhood Analysis
- Appendix 3: Location and Date of Measures Creating the Temporary LTNs
- Appendix 4: Scheme Drawings for Each Proposed Experimental CHN
- Appendix 5: PDF Leaflets of Each Temporary LTN/proposed Experimental CHN
- Appendix 6: Appendix to the 26 July 2021 Cabinet Report Showing the Location / Context of the Potential Active Travel Programme / Location of Proposals
- Appendix 7: Additional Duties and Considerations When Taking a Decision to Implement an Experimental Healthy Neighbourhood or to Remove One / an LTN
- Appendix 8a: Summary Findings from the 'Listening' at Each of the Temporary LTN/Proposed Experimental CHN Areas
- Appendix 8b: Reports on the Findings from the 'Listening' at Each of the Temporary LTN/Proposed Experimental CHN areas
- Appendix 8c: Additional Email Submissions
- Appendix 9: Submission by Croydon Living Streets: A collection of responses from some of the children who travel along Albert Road regularly.
- Appendix 10: Equality Analysis

**BACKGROUND DOCUMENTS:** None.