

# Delegated decision report of: Corporate Director of Environment and Regeneration

Officer Delegated Decision

Date: 2 September 2020

Ward(s): Barnsbury, St Mary's



Subject: Cycleway 38 south – Liverpool Road /  
Tolpuddle Street / Penton Street

# 1. Summary

- 1.1. This report sets out the council's proposal for delivering a cycle route along Liverpool Road, Tolpuddle Street and Penton Street that forms the southern section of Cycleway 38 (C38, formerly referred to as Quietway 10). This is a key north-south cycle route, which is especially urgent in the context of COVID-19 to improve safety for an anticipated increased number of people cycling as a result of the pandemic. Construction of the northern section of the C38 route began just before the COVID-19 lockdown, was paused because of COVID-19 and will re-commence in the coming weeks. This southern section is being brought forward sooner than originally planned to address the current health crisis and help encourage those returning to work and school to cycle rather than travel by private motor vehicles by providing a safe and direct cycle route.
- 1.2. The southern section of this cycle route went through a series of design iterations before the COVID-19 emergency, with Barnsbury Road and Thornhill Road previously being the preferred alignment. A new alignment for this route is now proposed via Liverpool Road, Tolpuddle Street and Penton Street (see Appendix 1).
- 1.3. This report outlines the proposal, consultation, implications and recommendation for the delivery of the southern section of C38.
- 1.4. To meet the extremely challenging timescale of delivering this route by mid-October 2020 it is proposed that the cycleway is delivered with low-cost measures and as an 18-month trial under an Experimental Traffic Order. The impacts of the measures will be monitored throughout the period, and as part of the trial a public consultation with residents and businesses will take place approximately 12 months after implementation.
- 1.5. The scheme supports and complements the principles of the People Friendly Streets programme that was agreed by the council's Executive on 18 June 2020.
- 1.6. The implementation of the southern section of C38 will support the council's objective of achieving net zero carbon emissions in Islington by 2030 (Vision 2030). It will also contribute to the delivery of a Fairer Islington by: making it easier and safer for people to travel by active means of transport (cycling); supporting people to live healthier lives; and making Islington a welcoming and attractive borough and creating a healthier environment for all. The cycle route will contribute to the draft Islington Transport Strategy (2019) targets for 87% of trips by Islington residents to be by walking, cycling and use of public transport by 2041 and the elimination of all transport-related deaths and serious injuries in Islington by 2041.

## 2. Decision

- 2.1. To note that the council's Executive, at its meeting on 18 June 2020, agreed the council's People Friendly Streets programme. The scheme supports and complements the principles of the People Friendly Streets programme.
- 2.2. To note that the council will contact local businesses along the route before construction begins to inform them of proposed waiting and loading changes, and work with them to provide suitable alternatives where possible.
- 2.3. To approve the delivery of the C38 proposals set out in this report and at Appendix 1.
- 2.4. To note that residents and businesses will receive information leaflets before construction begins and that a formal public consultation on the measures will take place approximately 12 months after the Experimental Traffic Orders are issued, before a decision is taken on whether or not to make these changes permanent at the end of the 18-month period.

### 3. Background

- 3.1. Prior to the COVID-19 public health emergency, a feasibility study was carried out to explore options for the alignment of Cycleway 38 (C38) through Barnsbury and St Mary's wards. The original alignment of C38 was proposed via Barnsbury Road and Thornhill Road, but traffic volumes along this route presented challenges in designing a route that would meet Transport for London's (TfL) New Cycle Route Quality Criteria, which is based on London Cycling Design Standards (LCDS). A new alignment for this route that meets this criteria is now proposed via Liverpool Road, Tolpuddle Street and Penton Street.
- 3.2. Construction works on the northern section of C38 commenced just before the COVID-19 lockdown, and were halted due to the public health emergency. Construction is now scheduled to restart in the coming weeks and will be built according to previously agreed designs, which include segregated cycle lanes along a significant part of the route.
- 3.3. The alignment of this cycle route addresses demand for a north-south route in this area, which was identified in a Strategic Cycling Analysis carried out by TfL, and which also highlighted that Liverpool Road offers a more suitable north-south cycling alternative to Upper Street.
- 3.4. The route will contribute to the delivery of Islington's Transport Strategy targets to increase walking and cycling and reduce car use and ownership, benefits multiple schools by encouraging sustainable travel and improving air quality and encourages walking and cycling to a number of green spaces and local shopping areas.
- 3.5. There have been seven serious road incidents involving pedal cycles along the proposed route in the last five years. Introducing light segregation, clear signage and removing parking will contribute to making this route safer for cyclists.

## 4. Proposals

4.1. The implementation of the southern section of C38 is planned to commence from early September 2020 to provide improved facilities for increased volumes of cyclists expected because of COVID-19 restrictions that severely limit public transport capacity, and in line with recent Department for Transport (DfT) and TfL guidance.

4.2. Designs for the route are set out at Appendix 1.

4.3. The designs comprise with-flow cycle lanes along the southern section of C38, connecting with the northern section of the route east of Holloway Road. The route will comprise 24-hour mandatory cycle lanes, except at sections where advisory lanes will be in place due to carriageway widths, the need for loading facilities and to allow the 812 bus service to operate hail and ride next to the footway. Most of the mandatory cycle lanes will have light physical segregation in the form of traffic wands to provide added protection for cyclists, except at junctions, parking bays and crossing locations.

4.4. Sections where segregation cannot be achieved include:

- Liverpool Road between Barnsbury Street and Richmond Avenue.
- Penton Street south of White Lion Street.
- Much of the western side and around 50% of the eastern side of the section of Liverpool Road between Tolpuddle Street and Theberton Street to facilitate the 812 Plusbus service to stop next to the footway.
- On the eastern side of Liverpool Road between Batchelor Street and Cloudesley Street, by the Business Design Centre where a loading bay is to be located.

4.5. To accommodate these proposals, changes will need to be made to the existing road layout on Liverpool Road, Tolpuddle Street and Penton Street, which includes removing traffic islands and build outs and providing new advanced stop lines (waiting areas for cyclists ahead of motorised traffic) at the signalised junction of Liverpool Road and Tolpuddle Street. The removal of parking bays to create space for the cycle lanes will also be required along the route, with further details of this set out from paragraph 4.9 below.

4.6. The design incorporates a new loading bay outside the Business Design Centre on Liverpool Road, which replaces a single yellow line that is used to load / unload during exhibitions (see design proposals at Appendix 1).

4.7. This scheme has been through design revisions, a Road Safety Audit, stakeholder and Member engagement, with implementation scheduled to begin in early-September 2020 and complete by mid-October 2020.

## Parking implications

4.9. To accommodate the segregated cycle lanes, 96 residential bay parking spaces will need to be removed. The parking bays will be replaced with 'no parking at any time' restrictions.

4.10. A parking survey conducted prior to the COVID-19 lockdown to assess the impact of the cycle route revealed that parking demand for 80 of the 96 lost spaces can be met through the use of underused bays on Liverpool Road. In areas where there are not enough spaces on Liverpool Road to accommodate the loss of parking (16 of 96 lost spaces), the surveys showed that there were sufficient parking bays available in side roads in close proximity. The parking occupancy survey results are set out at Appendix 2.

4.11. The following Traffic Management Orders need to be made to enforce the measures:

- Revocation of the existing Traffic Management Order for the existing residential parking bays along the eastern side of Liverpool Road between the junctions of College Cross and Tolpuddle Street.
- Issuing of an Experimental Traffic Order that prohibits any waiting or loading on the eastern side of Liverpool Road between the junction of College Cross and Tolpuddle Street (to facilitate a mandatory cycle lane between College Cross and Barnsbury Street, an advisory cycle lane between Barnsbury Street and Richmond Avenue and a mandatory cycle lane between Richmond Avenue and Tolpuddle Street).
- Issuing of an Experimental Traffic Order to allow for loading and unloading in a bay outside the Business Design Centre on Liverpool Road opposite the junction of Cloudesley Place.
- Revocation of the existing Traffic Management Order on Penton Street between the junctions of White Lion Street and TfL's Strategic Road Network route at Pentonville Road that currently allows loading to prohibit loading Monday to Friday between 7:30am and 9:30am, no waiting Monday to Friday between 7:30am to 6:30pm and Saturday between 8:30am and 1:30pm.
- Issuing of an Experimental Traffic Order that prohibits any waiting at any time & loading / unloading between the hours of 7am to 10am and 2pm to 7pm on Penton Street between White Lion Street and TfL's Strategic Road Network route at Pentonville Road.
- Revocation of the existing Traffic Management Order that allows electric vehicles to park and charge on Tolpuddle Street and to issue an Experimental Traffic Order for this location that prohibits any waiting or loading.

- Other measures that will be covered within the Experimental Traffic Order are the shortening of some bays on the western side of Liverpool Road and Penton Street to facilitate vehicle turning movements out of side roads as well as removing any pinch points that would bring the carriageway width to below 5.5 metres.

4.12. Experimental Traffic Orders will be put in place as an 18-month trial as required under the terms of those orders. At the end of the 18-month trial period, the Orders will be replaced by a permanent Traffic Order subject to the outcome of formal public consultation, or be reinstated to the original Traffic Orders if it is decided the scheme should not be made permanent.

4.13. There will be no loss of pay and display bays, though the overall loss of parking on Liverpool Road may result in more residents occupying the shared resident/pay and display bays between Richmond Avenue and Barnsbury Street. This may therefore result in less capacity for pay and display use. The use of these bays will be reviewed and more bays could be converted to pay and display only if this proves to be an issue post-implementation.

4.14. A Stage 1 and 2 Road Safety Audit on the scheme was carried out in mid-August 2020 and did not raise any major issues.

## 5. Engagement, Public Consultation and Monitoring

### Engagement

5.1. A borough-wide engagement exercise began on 29 May 2020, via online platform Commonplace, that provides residents, businesses and local organisations with the opportunity to suggest how local streets can be improved for pedestrians and cyclists. The feedback being collected through Commonplace is guiding the development and design of improvements across the borough. The People Friendly Streets Commonplace site will remain open so that residents and businesses can provide real-time feedback on the changes introduced as part of Cycleway 38.

5.2. The council will contact businesses by phone before construction commences regarding the proposals for restrictions to waiting and loading.

5.3. An information leaflet will be sent to all addresses along the route and within a 100 metre buffer area to notify them of the proposals for the new cycleway and about the proposed changes to parking, waiting and loading. This will be sent ahead of construction commencing.

5.4. The Experimental Traffic Order (ETO) will be advertised on 3 September 2020.

5.5. Consultation on the scheme has been undertaken with the following statutory stakeholders: London Ambulance Service, London Fire Brigade, Metropolitan Police and TfL. TfL conducted a design review and all comments have been addressed. The Metropolitan Police did not raise any issues. The London Ambulance Service and London Fire Brigade registered concerns that the use of traffic wands may prevent access in emergencies. This has been addressed by changing the design to provide an 8 metre break in traffic wands for every 30 metres where there is no kerbside stopping space. All Emergency Services have agreed that this increased spacing between the segregation is acceptable. The council has agreed to monitor and review the scheme with the Emergency Services once implemented if required.

## Public Consultation

5.6. Public consultation will take place after approximately 12 months as part of the Experimental Traffic Order is made. This process provides for a six-month period during which residents and businesses can write to the council with comments, including objections to or support for the scheme. The council will consider these comments when deciding whether or not to amend the scheme or to make it permanent at the end of the 18-month trial period.

## Monitoring

5.7. The council will monitor the scheme to understand road user patterns and behaviour on these roads, and to enable an evaluation of whether and how to make the changes permanent. Traffic counts, including cycle counts, were undertaken between 26 August and 1 September 2020 and these will be repeated after the changes have been in place for six months to measure patterns and behaviour.

5.8. The council will launch a formal consultation approximately twelve months after the delivery of the measures on whether or not to make the scheme permanent. This consultation will invite feedback on the measures that the council has introduced. This feedback, together with the monitoring data to be collected, will inform the council's decision on whether or not to make the cycle route measures permanent at the end of the eighteen-month period.

## 6. Implications

### 6.1. Financial implications:

6.1.1. Transport for London (TfL) has agreed to fund the design and delivery of this cycleway, estimated to cost approximately £390k, which includes staff costs. TfL's current funding is linked to a bailout package from the DfT and it is a condition of the funding grant that the funding must be spent and the cycleway delivered by mid-October 2020.

6.1.2. TfL has suspended its Local Implementation Plan (LIP) programme but is currently accepting bids from boroughs as part of its London Streetspace funding programme.

6.1.3. To provide a safe, continuous cycle route, 96 residential parking bays will need to be removed along the route. As these are residential bays, the removal of these spaces will not result in a reduction in revenue. However, the potential for more residents using the shared resident/pay and display bays between Richmond Avenue and Barnsbury Street may result in less capacity for pay and display use and therefore a loss of revenue. The use of these bays will be monitored and changes may be made in the future if there are issues.

6.1.4. As the Highway Authority, the council will be responsible for funding and undertaking future maintenance of the temporary light segregation infrastructure for the duration the 18-month scheme.

## 6.2. Legal Implications

6.2.1. TfL has paused implementation of the Mayor of London's Transport Strategy through Local Implementation Plans (LIP). In its place, TfL has developed its Streetspace Plan for London, aimed at creating more space on streets so people can walk or cycle while social distancing and easing pressure on public transport as the COVID-19 government lockdown restrictions are lifted.

6.2.2. On 15 May 2020, the Mayor of London and TfL issued interim guidance to London boroughs on the London Streetspace plan. The aims of the C38 cycle route outlined in this report are consistent with that guidance and DfT's statutory guidance 'Network Management in response to COVID-19' published recently under section 18 of the Traffic Management Act 2004. The council is required to have regard to that guidance in carrying out its network management duties under sections 16 and 17 of the 2014 Act.

6.2.3. The guidance states that 'Local authorities in areas with high levels of public transport use should take measures to reallocate road space to people walking and cycling, both to encourage active travel and to enable social distancing during restart', and that measures should be taken as swiftly as possible, and in any event within weeks, given the urgent need to change travel habits before the restart takes full effect.

6.2.4. Section 65 of the Highways Act 1980 (cycle tracks) empowers a local highway authority, in or by the side of a public highway, to construct a cycle track as part of the highway, and to alter or remove a cycle track constructed by them under this section.



- 6.2.5. Section 4 of the Cycle Tracks Act 1984 (provision of barriers in cycle tracks, etc.) empowers a highway authority to provide and maintain, in any cycle track constituting or comprised in a public highway, such barriers as they think necessary for the purpose of safeguarding persons using the cycle track; and, where a cycle track is adjacent to a public footpath or footway, provide and maintain such works as they think necessary for the purpose of separating, in the interests of safety, persons using the cycle track from those using the footpath or footway. The highway authority may alter or remove any works provided by them under section 4 of the 1984 Act.
- 6.2.6. Section 9 of the Road Traffic Regulation Act 1984 enables the council to make experimental traffic orders for the purposes set out in section 4 of the report. In deciding whether or not to make orders under section 9, the council has to comply with the provisions of section 122 of the 1984 Act which requires the council to exercise that function (so far as practicable having regard to the matters specified below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The specified matters are:
- (a) the desirability of securing and maintaining reasonable access to premises;
  - (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
  - (bb) the strategy prepared under section 80 of the Environmental Act 1995 (national air quality strategy);
  - (c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
  - (d) any other matters appearing to the local authority to be relevant.
- 6.2.7. Further, when deciding whether to make a traffic order the Council must have regard to the Mayor of London's Transport Strategy (sections 142 and 144(1)(a) Greater London Authority Act 1999). That strategy emphasises the importance of reducing emissions and improving air quality.
- 6.2.8. In deciding whether to make the orders the council must also have full and proper regard to the on-line consultation responses regarding the proposals for C38 and the responses from the statutory stakeholders and local businesses.
- 6.2.9. In making the experimental traffic orders, the council must follow the procedure set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended by the Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020).

## 6.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

6.3.1. The delivery of the above measures in construction terms will have environmental impacts from the works to remove traffic islands and build outs. These include material and energy use and the generation of construction waste. The other measures, such as the installation of traffic wands and lining, have only minor impacts, with little or no waste, emissions or potential nuisance to neighbouring properties.

6.3.2. In June 2019 the council declared a Climate Emergency and pledged to work towards making Islington zero carbon by 2030. The cycle route measures proposed will positively contribute to achieving this ambitious commitment by encouraging increased cycling. The project will demonstrate the council's commitment to working towards a zero carbon future and respond to the Climate Emergency declaration. The delivery of the Islington Transport Strategy was specifically mentioned in the transport section of the Draft Zero Carbon Strategy.

6.3.3. Recent research has shown higher death rates from COVID-19 in areas where there is poorer air quality than in areas with better air quality. By encouraging cycling through the measures outlined above, the council will be supporting the health resilience of those working and living in Islington.

## 6.4. Resident Impact Assessment

6.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

6.4.2. A Resident Impact Assessment has been completed and a summary is included below. The complete Resident Impact Assessment is provided at Appendix 3.

6.4.3. The RIA has identified general positive impacts for all groups with protected characteristics.

6.4.4. The implementation of the southern section of the C38 cycle route would deliver positive impacts overall in terms of supporting public health, improved air quality,

and accommodating and enabling active travel. The main beneficiaries of the response will be people cycling, due to the creation of wider cycle lanes protected from traffic.

6.4.5. The removal of parking on the route and installation of traffic wands in some locations will prevent vehicles accessing the kerb at those points, which will have potentially negative impacts for those older and disabled residents of Islington that disproportionately rely on private motorised transport. However, there will be a break of 8 metres in the wands after any stretch of 30 metres of wands to allow both emergency vehicle access and for those with accessibility requirements to access the kerb. Those undertaking essential car trips will generally need to use side roads, which occur at regular intervals along the route, to access footways and destinations along the route.

6.4.6. The changes result in crossing the road being considered as more difficult than before with the removal of two informal crossings, increasing crossing distances. However, there are a series of signalised and zebra crossings along the route that can still be used and the changes will be monitored to inform whether new crossings will be required.

6.4.7. The Council will monitor the scheme including any complaints received about issues of car access, and will consider whether new parking should be created in the area to mitigate the parking loss.

## 7. Conclusion and reasons for recommendations

7.1. This report sets out the council's proposal for the southern section of Cycleway 38.

7.2. The Corporate Director of Environment and Regeneration is asked to agree the proposals set out in this report, including the installation of traffic wands, removal of parking and loading facilities, creation of new waiting restrictions, revocation of Traffic Management Orders and issuing of Experimental Traffic Orders.

7.3. The southern section of Cycleway 38 will be implemented on a trial basis using Experimental Traffic Orders. The scheme will be monitored to assess its benefits and impacts before a decision is made on whether or not to make the scheme permanent.

7.4. The measures in this report will provide protected cycle facilities on a strategic cycle route, encouraging local people to cycle to and from schools and workplaces. This will contribute towards the prevention of a sharp increase in traffic volumes on the borough's roads as people begin to increase their travel following the easing of government COVID-19 restrictions. More cycle journeys in place of motor traffic journeys will result in a safer, cleaner and healthier environment for local people particularly older people, children, younger people with impaired mobility and other vulnerable groups. It will contribute to

Islington's draft Transport Strategy (2019) targets for 87% of trips by Islington residents to be by walking, cycling and use of public transport by 2041. The proposals are supportive of the council's net zero carbon and Fairer Islington priorities. The Corporate Director is therefore asked to agree to the implementation of the C38 cycle route under an 18 months Experimental Traffic Order.

Signed by:

[Redacted signature]

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Appendix 1: Drawings of southern section of Cycleway 38

Appendix 2: Parking occupancy survey results and analysis

Appendix 3: Resident Impact Assessment (RIA)