

Committee: Chief Officer Report

Date: 1st August 2019

Agenda item:

Wards: Borough wide

Subject: Third Local Implementation Plan (LIP3)

Lead officer: Chris Lee

Lead member: Councillor Martin Whelton Cabinet Member for Regeneration, Housing and Transport

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Recommendations:

That the Director for Environment and Regeneration considers the issues detailed in this report and:

- A. Agrees the final Third Local Implementation Plan for submission to the Mayor for London.
- B. Notes the outcome and comments received during the statutory consultation as detailed in the LIP3 Consultation Statement.
- C. Notes the submission timescales set by TfL and consequences of non-submission.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report sets out the outcome of the recent draft Third Local Implementation Plan statutory consultation and outlines some of the core changes made in response to comments received.
- 1.2 The draft plan stresses the importance of active travel, improving health and air quality in order to tackle traffic congestion, poor health outcomes and growth. It also subscribes to the London Mayor's Vision Zero objective to the Healthy Streets approach when designing streets and to eliminate serious and fatal collisions.
- 1.3 When considered together we consider the written and on-line consultation responses to be supportive or neutral in terms of the objectives set, but many respondents felt the Plan fell short on ambition. Respondents also appreciated the need to tackle air quality, but many felt the plan did not go far enough (see attached Consultation Statement Appendix 1).
- 1.4 The main area of concern related to cycling proposals. Proposals have therefore been extensively reviewed with Merton Cycling Campaign (MCC) representatives and significantly expanded.

1.5 Other more extensive changes include:-

- Indicative road safety programme and borough maps showing all killed and seriously injury (KSI) accidents, all mode casualties and vulnerable user KSI's have also been included.
- References to green infrastructure strengthened and CAVAT tree assessment framework added.
- 20mph speed limit programme clarified and phasing plan added.
- Overarching aims extended and better referenced to MTS outcomes.
- Additional details added to the 3-year delivery programme.
- Reference to accessible stations strengthened.
- Narrative and plan added on improvements to Figges Marsh Junction.
- New Figure 10A show the Councils cycle delivery programme added

1.6 It is recommended that the Director of Environment and Regeneration considers the feedback received during the consultation and subsequent modifications and agree to LIP3 being submitted to TfL for approval by the Mayor of London.

1.7 The Director of Environment and Regeneration has delegated authority in consultation with the Cabinet Member to finalise the Plan after consideration of public consultation comments (Cabinet 30th July 2018).

1.8 The Cabinet Member for Regeneration, Housing and Transport has considered and approved the draft Plan.

1.9 Transport for London previously wrote to the Council stating that LIP3 must be, submitted to Transport for London for approval by the London Mayor no later than 28th June 2019 for submission to the London Mayor by 28th July, otherwise LIP funding for 2019/20 will be frozen, until approval is granted. TfL have not yet acted on this warning, but it nevertheless remains at high risk.

2.0 BACKGROUND

2.1 The Mayor's Transport Strategy (MTS) maps out the strategic direction for transport in the Capital. It was adopted on 13th March 2018 and sets out three priority areas for delivery; these are: -

- Healthy streets and healthy people;
- A good public transport experience;
- New homes and jobs.

2.2 The Greater London Authority Act 1999 (GLA Act) requires each London borough to prepare a LIP containing its proposals for the implementation of the Mayor's Transport Strategy.

2.3 The LIP3 consultation was re-scheduled from its original target consultation start date of October 2018 due an overlap with a number of other planned consultations, including the Local Plan, Sutton Link, Wimbledon Master Plan and Morden town centre, which continued into early 2019.

- 2.4 This delay allowed some of the emerging messages from the above consultations to inform the draft LIP3. There was also some delay in receiving initial feedback from parts of TfL, which further delayed the public consultation date.

STATUTORY CONSULTATION RESPONSE AND KEY CHANGES

- 2.5 The Council undertook the public consultation between 1st March 2019 and 12th April 2019. Undertaken predominately online, it included a online questionnaire, repeated posts on social media and internet platforms, hard copies in local libraries and posted to all Councillors. In addition to the statutory consultees, views were sought from the following stakeholders/interest groups:-

- Historic England, Natural England and The Environment Agency;
- All council Department Directors;
- All Environment and Regeneration Heads of Service and relevant team leaders;
- All emergency services;
- South London Partnership (made up of the following Councils: Merton, Croydon, Kingston, Sutton and Richmond);
- Merton's Chamber of Commerce/Business Improvement Districts (BID)
- Merton's Sustainable Communities and Transport Partnership (SCTP).
- Public Health
- Merton Cycling Campaign.
- Wandle Valley Forum
- Other stakeholder groups

- 2.6 In total 108 responses were received, 88 via the online survey and a further 20 email/written responses. Anonymized details are located on the council's web site at <https://www.merton.gov.uk/streets-parking-transport/transport-strategy/lip3/draft-lip3-consultation-responses>. This level of response compared very favourably to previous LIP consultations, which only received around 10 responses.

- 2.7 Many of the written responses provided detailed comment on a range of specific LIP issues. Others made constructive suggestions for improvements, many of which have been incorporated within the final LIP3; please see attached Consultation Statement for detailed analysis of responses. Some of the findings and Council comment are summarised below:-

- *47% of respondents do not believe that LO1 – LO7 objectives met the Mayoral outcome 1. Around 24% neither agree nor disagree.*

This group of objectives relate to healthier streets and active travel and suggest our proposals do not go far enough. We have reviewed and strengthened our cycle proposals considerably to meet this concern.

- *33.33% agree that the LO8- LO13 meets the Mayoral outcome 2 to make London's streets safe and secure. With 39% respondents disagreeing it did, with just under 30% neither agreeing nor disagreeing.*

- *Nearly half of respondents do not feel that LO14 - LO18 met the Mayoral objective for London's streets will be used more efficiently and have less traffic.*

These objectives cover a non-controversial set of objectives and suggests scope for a tougher approach is considered necessary.

- *Nearly half of respondents (45%) do not feel that LO19 –LO25 objectives would mean London's street will be clean and green in line with the Mayoral outcome 4.*

These objectives are broadly about improving air quality and the wider environment, which does suggest people are concerned about these issues. There was a spike in responses at the same time as the My Merton parking charges/policy article. LO22 in particular focuses on the potential for emission-based charges and work based parking levy, which may have had a negative impact on the LIP3 consultation.

Officer Comments

- 2.8 Improving road safety was another re-occurring theme noted in the written responses. An indicative road safety programme, high-level assessment of poorly performing junctions and plan showing killed and seriously injury (KSI's), accidents, all mode casualties and vulnerable user KSI's are included to better highlight areas of high incidence. The Council's road safety programme for 2019/20 focuses on safety issues around schools.
- 2.9 Feedback from one statutory consultee referred to work place parking levy. This has been replaced by "demand restraint and/or funding mechanisms to deliver improved transport infrastructure.
- 2.10 Throughout the online questionnaire a close to 30% of consultees neither agreed nor disagreed on the Council's objectives.
- 2.11 A new LO12A with the aim to make all our main roads safer places for cyclists and where road widths allow aspire to provide dedicated facilities and a 3-year delivery programme is now included. However, proposals beyond 2019/2020 remain unfunded (see figure 10A). Aspirational proposals are also included in longer-term interventions table up to 2041.
- 2.12 A number of consultees raised the importance of green infrastructure in helping to create a better environment and to prevent flooding. The adoption of the Capital Asset Valuation of Amenity Trees (CAVAT) system recognises the important contribution of green infrastructure.
- 2.13 TfL have allocated funding to redesign Figges Marsh roundabout to improve bus reliability, improve safety and provide full walking and cycling facilities at this busy junction. A short narrative of the benefits and layout plan is inserted on this major improvement scheme for delivery in 2019/20. The information on the project can also be on the Council's web site at:-

<https://www.merton.gov.uk/streets-parking-transport/traffic-management-consultations/figges-marsh-junction>

- 2.14 Following on from South Westerns Railways unsuccessful bid for “access for all funding” for Raynes Park and Motspur Park Stations and interest/comments from councillors, reference to accessible stations has been strengthened, including references to making improvements at railway footbridges, as works come forward.
- 2.15 A number of consultees, whilst being supportive, sought clarity on the Councils 20mph speed limit programme. The delivery programme has been reviewed and phasing plan added. The information on the project can also be on the Council's web site at:- <https://www.merton.gov.uk/streets-parking-transport/traffic-management/consultations/mitcham-20mph>

Conclusion

- 2.16 Taken together the written and on-line survey responses would suggest the consultation outcome to be essentially supportive or neutral in terms of meeting the LIP objectives, but lacking ambition. In particular, the Council's cycling aspirations, which have been strengthened in the final document. Respondents also appreciated the need to tackle air quality, but many felt the plan did not go far enough. This message is better demonstrated in the written replies (see attached Consultation Statement Appendix 1). Throughout the Plan, where delivery weaknesses were identified these have been made more robust.
- 2.17 The Council believes the revised LIP sets out a positive statement of the Council's commitment to deliver the London Mayor's Transport Strategy and looks forward to carrying its delivery programme.
- 2.18 It is recommended that the Director for Environment and Regeneration considers the feedback received during the consultation and subsequent modifications and agree to LIP3 being submitted to TfL for approval by the Mayor of London.

3 LEGAL AND STATUTORY IMPLICATIONS

- 3.1 The Greater London Authority Act 1999 (GLA Act) requires each borough to prepare a LIP containing its proposals for the implementation of the Mayor's Transport Strategy.
- 3.2 Under s149 Equality Act 2010. The council must, when exercising its functions, have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' under the Act and those who do not share a protected characteristic. A 'protected characteristic' is defined in the Act as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership are also protected characteristics for the purposes of the duty to eliminate discrimination.

4. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 4.1 TfL previously wrote to the Council stating that the LIP3 needed to be submitted by 28th June 2019 for sign-off by the London Mayor no later than 28th July and that that funding for 2019/20 will be frozen if the council fails to meet this timeframe until the LIP3 is signed-off.
- 4.2 The Council LIP Neighbourhood fund allocation for 2019/20 was £1,311,000. A further £800,000 is allocated for the redesign and delivery of the Figges Marsh junction improvements. TfL refunds the Council for work in arrears on the value of work done. If funding were frozen the Council would need to cover on-going scheme costs in anticipation of the LIP being approved or restrict funding to committed expenditure only and put its delivery programme on hold.
- 4.3 TfL has been kept fully apprised of progress in approving the Plan. The modified draft LIP was forwarded to TfL and final comments received incorporated within the document. To date TfL has chosen not to act on its threat to freeze LIP funding. However, this remains a significant risk if borough sign-off extends beyond the 28th July Mayoral deadline.

5. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 5.1 There is a high risk of funding being withheld if Merton does not meet the deadline as set out above. However, given the short delay beyond the 28th July cut off, it is not anticipated that TfL will chose to take additional action, although this remains a possibility.

6. ALTERNATIVE OPTIONS

- 6.1 In the event the Council fails to deliver an acceptable Local Implementation Plan, TfL have powers to intervene, which will not be beneficial for the Borough.

7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 7.1 An Equalities Impact Assessment (EQIA) has been undertaken and is included as an appendix. The impact of the Plan was considered broadly positive for groups with Protected Characteristics.

8 ENVIRONMENTAL

- 8.1 The LIP is focused promoting active modes of travel and improving air quality. The Strategic Environment Assessment (SEA) statement concluded that no significant adverse environmental effects will result from the implementation of Merton's LIP.

9. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Appendix 1 – LIP3 consultation Statement.
- Third Local Implementation Plan
- Appendix 2 - Strategic Environmental Assessment (SEA

- Appendix 3 - Equalities Impact Assessment (EqIA):

BACKGROUND PAPERS

None