

Sustainable Communities Overview and Scrutiny Panel

19 January 2023

Wards: Wimbledon Village

Call-in: Wimbledon Championships Traffic Management

Lead officer: Adrian Ash, Executive Director, Environment, Civic Pride & Climate

Lead member: Cllr Stephen Alambritis MBE, Cabinet Member for Transport

Contact officer: Paul McGarry, Head of Future Merton

Recommendations:

- A. That the Panel review and consider the information provided in response to the call-in request relating to the Cabinet Member's decision to approve the temporary traffic management arrangements during the Wimbledon Championships.
 - B. That the Panel refer the decision back to the Cabinet Member for reconsideration, setting out the nature of the Panel's concerns; or
 - C. Decide not to refer the matter back to the Cabinet Member, in which case the original decision stands.
 - D. That the Panel consider and advise as pre-decision scrutiny, the proposed changes due to be consulted on for the 2023 Wimbledon Championships traffic management arrangements.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. On 12th December 2022, the Cabinet Member for Transport resolved to approve the following;
 - *A. Note the outcome of the Experimental Traffic Management Order used to implement traffic management restrictions as set out in Appendix 1 to facilitate the Wimbledon Championship events in 2021 and 2022.*
 - *B. To consider all the representations received, including the petition which are set out in Appendix 2 [of Appx 1] and agrees to proceed with making the Experimental Traffic Management Order permanent. The restrictions are only implemented during the Championships.*
 - *C. Agrees to exercise his discretion not to hold a public inquiry on the consultation process.*
- 1.2. Following the Cabinet Member's decision, the decision was called-in on 13th December 2022 by Cllr Thomas Barlow, Cllr Max Austin and Cllr Andrew Howard of Wimbledon Village Ward.
- 1.3. The reasons for the call-in focus on;
 - A presumption in favour of openness,
 - Consideration and evaluation of alternatives.
- 1.4. In addition to the call-in, this report also sets out further amendments to the traffic management arrangements planned for the Wimbledon

Championships. The proposed amendments are a result of the recent consultations and makes adjustments based on the feedback received from residents and the AELTC on the experimental traffic order in 2021-2022.

- 1.5. The proposed amendments will undergo consultation in February 2023 as a new Traffic Management Order. The Panel are invited to give views on the proposed changes as pre-decision scrutiny advance of the Council's statutory consultation commencing.

2 **DETAIL**

2.1. Rationale for the Experimental Traffic Order

- 2.2. The Championships is a high-profile global event which has grown consistently over the years. It has always been necessary to have the appropriate parking management measures in place to facilitate the event and various activities on the public highway in the vicinity of the All England Lawn Tennis Club (AELTC). These measures are reviewed and agreed annually between the Council and AELTC as well as relevant partners such as TFL and Metropolitan Police.

- 2.3. In 2021; it was brought to the Council's attention via the Metropolitan Police that due to an increasing number of vehicle-borne terrorist attacks on crowds; that counter-terrorism measures for crowded places would now need to feature in the traffic management surrounding the Championships; principally the closure of Church Road temporarily to vehicles during the tennis events.

- 2.4. Copies of correspondence from the Metropolitan Police are attached as appendix 4 to this report.

- 2.5. Both the Council and AELTC as event organisers have a duty to respond to the Police recommendations and to ensure the safety of pedestrians.

- 2.6. The measures are considered necessary as set out in paragraph 2.3 of Appendix 1.

2.7. Experimental Traffic Order Process

- 2.8. The Council, as traffic and highway authority can introduce changes to the highway via two types of order; a Traffic Management Order (TMO) or an Experimental Traffic Management Order (ETMO). Typically the Council would use a TMO; whereby there is a consultation period prior to measures being introduced.

- 2.9. ETMOs allow for measures to be introduced at the same time as an elongated consultation period takes place. This is useful for measures that cover a broad area and allows the Council to monitor the impact of schemes or consider amendments prior to formalising any decision.

- 2.10. The Council chose to implement the restrictions via an Experimental Traffic Management Order (ETMO). ETMOs allow for a greater consultation period of up to 6 months and allows residents to experience the changes and provide more detailed feedback. The consultation details are in section 3 of Appendix 1.

- 2.11. The ETMO lasted for 18 months, therefore covering the 2021 Championships (with reduced capacity due to Covid-19) and the 2022 Championships at full capacity.
- 2.12. Throughout the ETMO period, traffic restrictions were only during match-days and Church Road remained open to pedestrians and cyclists and was open to vehicles at night. Restricted access on neighbouring roads was designed to maintain access for residents via a permit scheme operated by AELTC.
- 2.13. Many residents and members will be aware of the current All England Lawn tennis Club (AELTC) planning application for the Wimbledon Park Project and its proposed impact on Church Road. The measures in this report are not related to the planning application and should not be confused with the planning application's proposals which are still under consideration and would be subject to traffic management decisions in future years.
- 2.14. **Reasons for the call-in and responses**
A presumption in favour of openness:
- 2.15. Those requesting the call in have stated *"It is clear that the decision had already been made before the consultation was held. Local residents have clearly shown their opposition to the proposals with 70% of respondents opposing the restrictions, however the restrictions are being forced through against the express wishes of residents. Therefore, this decision was not made in an open and democratic way"*.
The Council's response:
- 2.16. The rationale for the temporary traffic restrictions are set out in paragraphs 2.2-2.6 of this report and in Appendix 1.
- 2.17. The measures were introduced under an Experimental Traffic Order on 28th June 2021 followed by an open consultation period in excess of 6 months; allowing residents sufficient time to experience the scheme before making representations.
- 2.18. The Council believes it has been open and transparent throughout the process. The consultation, traffic order, statement of reasons, road closure plan, diversion plan and information for obtaining permits has been available on the Council's website since June 2021.
<https://www.merton.gov.uk/streets-parking-transport/traffic-management/consultations/wimbledon-closures>
- 2.19. The consultation also included resident newsletters and on-street public notices. Full details of the consultation are in the Cabinet Member Report; appendix 1 to this report.
- 2.20. A full summary of responses received is also set out in the Cabinet Member report. The top four concerns raised were;

| THEME of COMMENT SUMMARY | No of responses per theme |
|---|----------------------------------|
| Objections | |
| 1: Church Road: a vital local road, don't close it | 40 |
| 2: Effect on public transport & cycling | 26 |
| 3: Inconvenience - longer routes, permits required for residents & visitors, difficult access | 38 |
| 4. Inconvenience - traffic disruption & congestion on surrounding roads | 74 |

- 2.21. The Council understands that traffic diversions are inconvenient to some; and to some extent the presence of the Championships has always been both a positive and a negative for the immediate local community; though overwhelmingly the Championships are a positive contribution to the borough, its economy and its character.
- 2.22. During the Experimental Order, consultants Burro Happold provided traffic monitoring data to illustrate the impact of the experimental traffic measures. This is available in Appendix 5.
- 2.23. The surveys show that the impact on walking and cycling was neutral as the roads remained open to both. Despite bus routes being diverted, journey times were more reliable as the routes avoided the Championships and journey times improved. Church Road, when open during previous Championships events was always a busy road carrying both through traffic, event traffic and crowds. This in itself caused congestion regularly prior to the changes.
- 2.24. On balance, between meeting the security needs of a major event and the desires of local residents; the Council must prioritise safety; particularly following the recommendations of the Metropolitan Police.
- 2.25. The decision to formalise the traffic management arrangements was not pre-determined before the consultation held; as suggested in the reasons for call-in; however, the measures are now, due to counter-terrorism reasons, a necessary component of safety and emergency planning around major events.
- 2.26. In response to the public consultation, there are still improvements that can be made; should the decision be referred back to the Cabinet Member.
- Longer lead-in times to notify residents of the annual traffic measures for the event.
 - More coordinated communications from AELTC and LBM to local residents regarding resident's permits and access points.
 - Making reasonable adjustments to some of the road closure points to meet resident's requests (set out in further detail in section 2.32 of this report)

Consideration and evaluation of alternatives.

- 2.27. Those requesting the call in have stated *“The report states that the only alternative option is not to implement the restrictions, however, there has been no exploration or consideration of viable alternatives which would not unnecessarily inconvenience residents”*.

The Council’s response:

- 2.28. When considering the outcome of the consultation, consideration must be given to the nature and validity of the comments / representations and the objectives. Whilst we recognise some inconvenience to motorists; this does not outweigh public safety considerations. As already mentioned, the restrictions are in response to public safety and counter-terrorism and are therefore considered necessary in safeguarding both residents and visitors in the vicinity of the grounds.
- 2.29. There are no real viable alternatives to the temporary closure of Church Road. The key public safety risk is that of hostile vehicle attacks on pedestrians. This inherently means not having motorised vehicles in the vicinity of the crowded pedestrian areas surrounding the AELTC.
- 2.30. Elsewhere, measures such as counter-terrorism bollards have been installed; though this tends to be in permanently used locations such as football grounds or arenas. For Church Road this would mean bollards installed permanently which; for the location will seem over-engineered and detrimental to the street scape and setting of the conservation area; given that the Championships is a two-week event. During the Championships, Church Road remains crowded with people crossing; so the counter terrorism bollards alone do not mitigate the potential risk.
- 2.31. Not to implement what is a critical and necessary safety and risk-mitigating scheme. This would be irresponsible and contrary to the request and advice received from the Police and would have serious high risk implications on both the local traffic authority and AELTC.

Pre-Decision Scrutiny on proposed amendments to the Wimbledon Championships traffic management arrangements

- 2.32. Following the consultation on the ETMO, and pending the outcome of this scrutiny meeting; the Council intends to make further amendments to AELTC Championship traffic management scheme to address the concerns of some local residents who provided feedback on ways of making the restrictions work better for the local community. There are also a number of different traffic orders relating to the Championships, from various years which would benefit from being consolidated into a single TMO.
- 2.33. The Council intends to consult on the proposals formally in February 2023; but welcomes the opportunity to raise the proposals here as a pre-decision scrutiny discussion.

The proposed alterations (to the ETMO proposals) are

- 2.34. Move the closure point in Church Road at the junction with Burghley Road south by a few metres to reduce queuing at the roundabout
The current ETMO wording is:
- 2.35. *Church Road, between its junction with Burghley Road and a point 2 metres north of its junction with Somerset Road.*
Changes to:
- 2.36. *Church Road, between an imaginary line extending from the north-east kerb line of Burghley Road and the extended north-eastern kerb line of St Mary's Road and its junction with Somerset Road.*
- 2.37. Prevent through-traffic from using the residential roads contained within the area bounded by Parkside, Somerset/Burghley Road, Church Road and High Street Wimbledon by:
- 2.38. Prohibit left and right turns from Parkside into a) Somerset Road, b) Calonne Road, c) Parkside Avenue, d) Marryat Road except for Authorised vehicles, care worker vehicles, coaches, courtesy cars, delivery vehicles, emergency vehicles, pedal cycles, press/media vehicles, resident badge holder vehicles, VIP vehicles and taxis.
- 2.39. Prohibit vehicles from entering Burghley Road at its junction with Church Road except for emergency vehicles, pedal cycles and authorised vehicles.
- 2.40. Move the closure in Bathgate Road at the junction with Seymour Road south to the junction with Somerset Road and add an additional closure point in Lincoln Avenue at the junction with Somerset Road.

The current ETMO wording is:

- 2.41. *Bathgate Road, between its junction with Seymour Road and its junction with Queensmere Road.*
Change this to:
- 2.42. *Bathgate Road, between its junction with Somerset Road and its junction with Queensmere Road and Lincoln Avenue between its junction with Somerset Road and Seymour Road.*

3 ALTERNATIVE OPTIONS

- 3.1. See paragraph 2.29 of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Details of the consultation undertaken for the ETMO is set out in section 3 of Appendix 1.
- 4.2. Proposed: Following the pre-decision scrutiny discussion on minor amendments proposed for the scheme, a statutory consultation will take

place February-March 2023 on a new, consolidated Traffic Management order for the Championships' traffic management.

5 TIMETABLE

5.1. None for the purpose of this report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purpose of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. Traffic Management Orders would be made under Section 6 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the experimental order.

7.2. The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.

7.3. The Council's powers to make Traffic Management Orders arise mainly under sections 6, 45, 46, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purpose of this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. The overarching rationale for the traffic management measures and specifically the temporary closure of Church Road during the Championships is to counter terrorism and mitigate against the potential for hostile vehicle attacks in crowded places.

9.2. The Wimbledon Championships is not only the largest event in Merton; but one of the few truly global sporting events held in the UK every year.

9.3. The safety and security of both residents and those attending the Championships is always the upmost priority for both the AELTC and Merton Council. However, we are also mindful of mitigating the traffic impact of the Championships on the local community, and so the Council works closely each year with the AELTC and Metropolitan Police to ensure plans are both comprehensive and proportionate for the major event and our community.

- 9.4. Feedback from the Metropolitan Police received 20th December 2022.
- 9.5. “The ETMO has provided significant benefit in relation to the separation of Pedestrians and non approved vehicle traffic in the areas of Sussex and Church Roads and the approaches in the zone and also reduced the turnarounds at the HVM (Hostile Vehicle Mitigation)
- 9.6. The ETMO and the proposed TMO use of the soft closures has also provided a layer approach to the overall hostile vehicle mitigation with additional deter, deny and delay effects in a wider footprint which over the last two years as SecCo has been part of the recommended measures for use of vehicle as a weapon. It has also provided additional assurance around VBIED (Vehicle-borne Improvised Explosive Device).”
- 9.7. “There were no reported issues from the local Borough Command Unit either regarding impact on their ability to respond to calls.”

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. The Government is proposing to introduce a new Protect Duty from early 2022. This legislation, and the changes it brings, will enhance the protection of the United Kingdom's publicly accessible places from terrorist attacks and ensure that businesses and organisations are prepared to deal with incidents. This will place greater emphasis on local authorities, venues and event organisers to plan for mitigation and increase preparedness for responding to major attacks.
- 10.2. This brings into sharper focus, the rationale for why hostile vehicle mitigation measures and the temporary closure of Church Road to support the safety of the Championships is not only proposed, but deemed necessary by the Metropolitan Police in their correspondence with the Council (Appendix 4)

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

- Appendix 1:
ETMO Cabinet Member Report and its appendices 6th December 2022
- Appendix 2:
Cabinet Member Decision sheet 12th December 2022
- Appendix 3:
Consultation response mapping
- Appendix 4:
Correspondence from the Metropolitan Police CT unit.
- Appendix 5:
Traffic impact survey outcomes
- Appendix 6:
Emails relating to the reports.

12 BACKGROUND PAPERS

- 12.1. <https://www.merton.gov.uk/streets-parking-transport/traffic-management/consultations/wimbledon-closures>

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