

## NON-KEY EXECUTIVE OFFICER REPORT

<b>LONDON BOROUGH OF CAMDEN</b>	<b>WARDS:</b> Primrose Hill
<b>REPORT TITLE:</b> King Henry's Road Area Safe and Healthy Streets Scheme	
<b>REPORT OF</b> Head of Transport Strategy & Projects	
<b>FOR SUBMISSION TO</b> Director of Environment and Sustainability	<b>DATE</b> 04 June 2024
<b>STRATEGIC CONTEXT</b> <p>We Make Camden is our joint vision for the borough, developed in partnership with our community. The proposals in this report meet the key objectives of We Make Camden by helping create clean, vibrant, and sustainable places and making it easier for people to travel by active modes of transport.</p> <p>The Way We Work is the Council's response to We Make Camden. The proposals in this report meet a key ambition that Camden should be a green, clean, vibrant, accessible and sustainable place with everyone empowered to contribute to tackling the Climate Emergency.</p> <p>The King Henry's Road Area Safe and Healthy Streets scheme contributes to key objectives in the Camden Transport Strategy, Clean Air Action Plan, Climate Action Plan and supports key outcomes within the Mayor's Transport Strategy.</p>	
<b>SUMMARY OF REPORT</b> <p>This report seeks approval from the Director of Environment and Sustainability, in consultation with the Cabinet Member for a Sustainable Camden, to make permanent the current trial area-wide 7.5-tonne weight restriction scheme introduced in January 2023 in the King Henry's Road area. The scheme prohibits vehicles weighing 7.5 tonnes or more from using the network of residential streets between Avenue Road, Adelaide Road and Primrose Hill Road as a cut-through, 'except for access'. The scheme was implemented as an 18-month trial under an Experimental Traffic Order (ETO) which came into force on 19 January 2023.</p> <p>The report also seeks approval for several new permanent pedestrian, road safety, public realm and environmental improvements in the area.</p> <p>The recommendations in this report are made considering relevant policies, feedback and monitoring data collected during the trial period, a full public consultation on the proposals contained in this report and an updated Equality Impact Assessment.</p> <p><b>Local Government Act 1972 – Access to Information</b> No documents that require listing were used in the preparation of this report.</p> <p><b>Contact Officer:</b> Jacqueline Saunders, Principal Transport Planner Supporting Communities, 5 Pancras Square, London N1C 4AG T: 0207 974 2765 E: <a href="mailto:Jacqueline.Saunders@camden.gov.uk">Jacqueline.Saunders@camden.gov.uk</a></p>	
<b>RECOMMENDATIONS</b> That the Director of Environment and Sustainability, having considered the	

proposals in relation to the objectives set out in the Camden Transport Strategy, the Consultation Summary Report (**Appendix B**), the Equality Impact Assessment (**Appendix C**), the Strategic Policy Alignments (**Appendix F**) and having due regard to the needs set out in Section 149 of the Equality Act 2010:

- (i) approves the proposal to make the current, trial area-wide 7.5-tonne weight restriction scheme permanent;
- (ii) approves the implementation of the proposed new, permanent pedestrian, road safety, public realm and environmental improvements in the area, as set out in **Section 2**; and
- (iii) delegates to the Chief Engineer the authority to take decisions relating to the detailed design and implementation/construction elements of the above schemes, subject to compliance with relevant statutory requirements.

Signed:



Sam Margolis  
Head of Transport Strategy and Projects

Date: 16/05/2024

## 1. PURPOSE OF THE REPORT

- 1.1 This report seeks approval from the Director of Environment and Sustainability, in consultation with the Cabinet Member for a Sustainable Camden, to make permanent the trial area-wide 7.5-tonne weight restriction scheme in the King Henry's Road area. The report also seeks approval for several new, permanent pedestrian, road safety, public realm and environmental improvements in the area which have been developed in response to monitoring data gathered during the trial period and feedback from the local community. The proposals are set out in detail in **Section 2** of this report.
- 1.2 The trial area-wide 7.5-tonne weight restriction formed part of a wider scheme in the area, including a trial Healthy School Street (timed motor vehicle restriction) on Elsworthy Road and permanent pedestrian improvement measures on Primrose Hill Road. A separate [Decision Report](#) covering the latter proposals was approved in December 2023, following a separate public consultation in September and October 2023.
- 1.3 Following a public consultation undertaken between 29 January 2021 and 21 March 2021 [a decision \(amended\)](#) was taken to implement a trial area-wide 7.5-tonne weight restriction under an [Experimental Traffic Order](#) (ETO), in order to address the impacts of through traffic in the King Henry's Road area. The ETO came into force on 19 January 2023, for a maximum period of 18 months.
- 1.4 The scheme prohibits vehicles weighing in excess of a gross vehicle weight of 7.5 tonnes from entering or being driven on the streets, or sections of streets, listed below 'except for access':
  - Elsworthy Road (between the western kerb line of Elsworthy Rise and its junction with Avenue Road)
  - Elsworthy Rise (between the northern kerb line of King Henry's Road and its junction with Adelaide Road)
  - Elsworthy Terrace
  - Harley Road
  - King Henry's Road (between the western kerb line of Elsworthy Rise and its junction with Harley Road)
  - Lower Merton Rise
  - Wadham Gardens
  - Vehicles weighing in excess of a gross vehicle weight of 7.5 tonnes are also prohibited from entering the section of King Henry's Road west of its junction with Primrose Hill Road, at the junction with Primrose Hill Road.
- 1.5 The Council committed to undertake a full public consultation after around 12 months of the trial weight restriction, to help inform whether, at the end of the

trial period, the experimental scheme should be made permanent, modified, or cease to have effect.

- 1.6 In line with Camden’s policy objectives outlined in the Camden Transport Strategy (CTS), Camden Clean Air Action Plan and Climate Action Plan, and in response to monitoring data gathered during the trial period and feedback from the local community, we are proposing introducing additional, permanent, pedestrian, road safety, public realm and environmental improvements in the area. The proposed new measures include:
- Widening the pavements and making pedestrian crossing improvements on Elsworthy Road outside St Paul's CE Primary School;
  - Adding a new zebra crossing on King Henry’s Road to the east of the junction with Elsworthy Rise;
  - Junction improvements along Wadham Gardens;
  - Installing four new cycle hangars;
  - Extending the dockless e-scooter and cycle hire bay on King Henry’s Road; and
  - Adding new and extended sections of double yellow lines at several junctions.
- 1.7 These proposals are set out in detail in **Section 2** of this report.
- 1.8 The proposed new measures aim to improve the area for pedestrians and cyclists, including by reducing road risk and enhancing the public realm, which are key strategic outcomes for the Council as set out in multiple strategy documents. The [Camden Transport Strategy](#) (CTS), adopted in 2019, has 7 objectives of which the first two are to “transform our streets and places to enable an increase in walking and cycling” and “to reduce car ownership and use, and motor traffic levels in Camden”. Objective 4 seeks to reduce road traffic “Killed and Seriously Injured” casualties to zero by 2041.
- 1.9 The Camden [Climate Action Plan](#), responding to the Citizens Assembly on the climate emergency, also supports interventions to facilitate walking and cycling, including motor vehicle restrictions and additional greening on streets. The proposals discussed in this report respond to three of the 17 actions that the Camden Citizens’ Assembly on the Climate Crisis agreed the Council should take to tackle the climate crisis, these being, *inter alia*, to ‘create more green space on residential streets’, ‘promote and trial car-free zones and days’, ‘plant trees and retain public spaces’. The proposals in this report respond to also help to deliver the Camden [Clean Air Action Plan](#), support the wider ambitions for sustainable streets and travel in Camden as set out in We Make Camden.
- 1.10 In addition, the proposals in **Section 2** of this report would help to deliver the Mayor of London’s Healthy Streets outcomes by providing more space for walking and cycling, and better public spaces where people can interact. They would also help the Council to meet our strategic targets for 93% of journeys

to be made by sustainable modes (walking, cycling and public transport) by 2040, as well as reduce vehicle driven trips and emissions.

- 1.11 The proposals in this report respond to the above-mentioned strategies and guidance, as outlined further in **Appendix F**, to help create safer, healthier streets in the scheme area. This report provides details of the proposals, a summary of Officers' responses to feedback from the engagement during the trial period and the final public consultation as well as an analysis of the impacts these proposals might have on the nine protected groups as defined in the Equality Act 2010.

## 2. PROPOSALS AND REASONS

- 2.1 This report seeks approval from the Director of Environment and Sustainability, in consultation with the Cabinet Member for a Sustainable Camden, to make permanent the current, trial area-wide 7.5-tonne weight restriction scheme in the King Henry's Road area. The report also seeks approval for several new, permanent, pedestrian, road safety, public realm and environmental improvements in the area which have been developed in response to monitoring data gathered during the trial period and feedback from the local community. The proposals, illustrated in the Proposed Scheme Drawings (**Appendix A**), are summarised below.
- 2.2 A Monitoring Factsheet (see **Appendix D**) has been produced, which includes data collected during the scheme trial period covering air quality, motor vehicle traffic volume and speed data (all motor vehicles and HGVs only) and feedback collected during the trial period. The headline monitoring outcomes include:

### Traffic Volume Data

- Across all sites within the weight restriction area, average daily motor vehicle traffic volumes fell by 7.9% when comparing the "before" trial scheme (11,051 vehicles) and "during" trial scheme (10,180 vehicles) data.
  - Across all sites within the weight restriction area, average daily Heavy Goods Vehicle (HGV) traffic volumes increased by 7.5%, when comparing the "before" trial scheme (313 HGVs) and "during" trial scheme (337 HGVs) data.
- 2.3 Whilst HGV traffic volumes increased on streets within the weight restriction area, the increase (7.5%) was significantly lower than the average increase recorded on boundary roads (34.3%). This data suggests that HGV traffic volumes on streets in the wider area in general, were significantly higher during the trial when compared to before the trial. It is important to note that there are several external factors such as temporary traffic lights, utilities and/or street works-related diversions, which can have an impact on Heavy Goods Vehicle (HGV) traffic volumes. There have also been ongoing construction works to residential properties in the area and on Adelaide Road,

to the east of the junction with Primrose Hill Road, associated with the construction of a ventilation shaft above a HS2-related tunnel. These works, including HGV movements and associated temporary traffic restrictions, are likely to have had an impact on local traffic and HGV traffic volumes.

- 2.4 The 7.5% increase in HGV traffic equates to an additional 24 HGVs across a 24 hour period (an average of 1 additional vehicle per hour). Whilst this is a minor increase, we would continue to monitor HGV traffic levels in the area and would commission new traffic counts if a decision is made to make the trial scheme permanent. Should this monitoring data indicate that the existing signage-enforced weight restriction is ineffective and subject to further consultation, we would consider additional mitigation measures including but not limited to revisiting the original scheme proposals for a physical width restriction in one or more locations. The original scheme proposals for a width restriction were amended in response to feedback from the community, including representations made by ward councillors and stakeholders, regarding concerns over access to properties by Light Goods Vehicles (LGVs), and possibly also larger private cars.

#### Traffic Speed Data

- Across all sites within the weight restriction area, average speeds increased by 1 mph, when comparing the before scheme (16 mph) and during scheme (17 mph) data.
- Overall, the average speeds recorded across all sites within the weight restriction area remained below the 20 mph speed limit during the trial.
- On King Henry's Road, to the east of Elsworthy Rise, an average speed of 21 mph was recorded in both the before and during trial scenarios.

#### Air Quality

- Analysis of average air quality (NO<sub>2</sub>) data collected at 12 sites in the local area between 2022 (before the trial) and 2023 (during the trial) showed an overall reduction in harmful NO<sub>2</sub> concentrations both in absolute terms (1.45µg/m<sup>3</sup> of NO<sub>2</sub>) and as a percentage (5.8%).

- 2.5 A public consultation on the final scheme proposals took place between 01 March 2024 and 21 March 2024. The consultation page can be viewed on We Are Camden using the link below:

[King Henry's Road Area Safe and Healthy Streets Consultation - Permanent Proposals - We Are Camden - Citizen Space](#)

- 2.6 The results of the consultation are summarised in **Section 6** of this report and in **Appendix B**.
- 2.7 The proposals in this report are split into two categories as set out below:

- (i) Proposal to make the current trial area-wide 7.5-tonne weight restriction permanent; and.
- (ii) Proposal for additional permanent measures, to introduce new pedestrian, road safety, public realm and environmental improvements.

**(i) Proposal to make the current trial area-wide 7.5-tonne weight restriction permanent**

2.8 This report seeks approval to make permanent the trial changes that were introduced in January 2023 under an Experimental Traffic Order (ETO) available to [view here](#). The accompanying trial scheme [Decision Report \(amended\)](#) should be read in conjunction with this report.

2.9 The ETO states:

2.10 *'Vehicles weighing in excess of a gross vehicle weight of 7.5 tonnes are prohibited from entering or being driven on the streets, or sections of streets, listed below. Exemptions to this restriction will apply for the purposes of accessing premises adjacent to, or only accessible from, these streets or sections of streets, and to vehicles being used in connection with highways or utilities maintenance if such works cannot reasonably be carried out without the vehicle being driven on these streets or sections of streets:*

- *Elsworthy Road (between the western kerb line of Elsworthy Rise and its junction with Avenue Road)*
- *Elsworthy Rise (between the northern kerb line of King Henry's Road and its junction with Adelaide Road)*
- *Elsworthy Terrace*
- *Harley Road*
- *King Henry's Road (between the western kerb line of Elsworthy Rise and its junction with Harley Road)*
- *Lower Merton Rise*
- *Wadham Gardens*

2.11 *Vehicles weighing in excess of a gross vehicle weight of 7.5 tonnes are also prohibited from entering the section of King Henry's Road west of its junction with Primrose Hill Road, at the junction with Primrose Hill Road.'*

2.12 The proposal to make the ETO permanent considers the policies and strategies discussed in **Section 1** and **Appendix F**, the monitoring data collected during the trial period as set out above and in **Appendix D** and the feedback received during the trial period including the public consultation that took place between 01 March and 21 March 2024, as detailed in **Section 6** and in **Appendix B**.

**(ii) Proposal to introduce new permanent pedestrian, road safety, public space and environmental improvements**

- 2.13 Additional permanent pedestrian, road safety, public space and environmental improvements are also proposed in the scheme area. These have been developed in line with Camden's various policy objectives, monitoring data gathered, feedback from the local community and Officer observations during the trial period.
- 2.14 A summary of the proposals consulted upon is provided below, along with the reasons and any proposed changes or new measures following analysis of the consultation results. The proposed scheme drawings, which have been updated following the consultation in response to comments from local residents and stakeholders are contained in **Appendix A**.

Widening the pavements and making pedestrian crossing improvements on Elsworthy Road outside St Paul's CE Primary School

- 2.15 If approved, the pavement would be widened on the south side of Elsworthy Road, directly outside St Paul's CE Primary School, providing additional space for anyone walking and/or people visiting the school. As part of this proposal, the existing guardrail at the entrance to the school would be removed and replaced with a rain garden, enhancing the look and feel of the street, contributing towards improving air quality, providing localised climate resilience, and promoting biodiversity. Four new "Sheffield" type cycle parking stands would also be introduced at this location, to increase local on-street cycle parking capacity.
- 2.16 The two existing informal pedestrian crossings/footway build-outs on Elsworthy Road between Primrose Hill Road and Elsworthy Rise would be upgraded. The existing speed humps would be removed, and the new crossings would be built on "raised tables" to make it easier and safer for pedestrians to cross the road and to help reduce motor vehicle speeds. New tactile paving would also be added, to assist visually impaired people crossing the road.
- 2.17 Following analysis of the consultation results, no further changes to this measure are proposed.

Adding a new zebra crossing on King Henry's Road to the east of the junction with Elsworthy Rise

- 2.18 The zebra crossing would replace an existing informal pedestrian crossing/pedestrian refuge island, in line with the CTS goal of prioritising pedestrians, who are at the top of the CTS "road user hierarchy". Central islands can sometimes require pedestrians to take risks in gaps in the traffic and to cross the road in two stages; zebra crossings give greater priority to pedestrians where vehicles have to stop, and pedestrians can take time to cross the road and do so in one movement. The new crossing would be built on a "raised table" to help reduce motor vehicle speeds. Average motor vehicle speeds recorded on this section of King Henry's Road were above the 20mph speed limit during the trial scheme and some local residents raised concerns regarding the need to reduce vehicle speeds in this location. The pavements would be widened on either side of the road to increase the space



available for pedestrians and to reduce the total pedestrian crossing distance. New tactile paving would also be added, to assist visually impaired people crossing the road.

- 2.19 Following analysis of the consultation results, no further changes to these measures are proposed.

#### Junction improvements

- 2.20 Four junctions would be upgraded to make it easier and safer for pedestrians to cross the road. Three of these are located along Wadham Gardens and were included as part of the public consultation. An additional proposal to upgrade the junction of King Henry's Road and Harley Road has also been added, in response to comments received in the public consultation. The junctions include:

- 2.21 **Wadham Gardens junction with Lower Merton Rise:** The existing pedestrian crossing/refuge island would be removed and replaced with a raised crossing located closer to the junction, to make it easier and safer for pedestrians to cross the road and to help reduce vehicle turning speeds. The pavements would also be widened on either side of the road to increase the space available for pedestrians and reduce the pedestrian crossing distance. New tactile paving would also be added, to assist visually impaired people crossing the road.

- 2.22 **Wadham Gardens junction with Elsworthy Road:** The pavements on either side of the junction would be widened and a "raised crossing" introduced, to make it easier and safer for pedestrians to cross the road and to help reduce vehicle turning speeds. Widening the pavements would increase the space available for pedestrians and reduce the pedestrian crossing distance. New tactile paving would also be added, to assist visually impaired people crossing the road. New planting areas/rain gardens would also be constructed here, subject to detailed design, enhancing the look and feel of the street, contributing towards improving air quality, providing localised climate resilience, and promoting biodiversity.

- 2.23 **Wadham Gardens junction with Harley Road:** A "raised crossing" would be introduced to make it easier and safer for pedestrians to cross the road and to help reduce vehicle turning speeds. New tactile paving would also be added, to assist visually impaired people crossing the road.

- 2.24 **Harley Road junction with King Henry's Road:** The pavements on either side of the junction would be widened and a "raised crossing" introduced, to make it easier and safer for pedestrians to cross the road and to help reduce vehicle turning speeds. Widening the pavements would increase the space available for pedestrians and reduce the pedestrian crossing distance. New tactile paving would also be added, to assist visually impaired people crossing the road. This proposal was developed in response to comments received in the public consultation, regarding a safety risk for pedestrians at this junction.

#### Installing four new cycle hangars

- 2.25 Four new cycle hangars are proposed, including two on King Henry's Road to the west of the junction with Primrose Hill Road and two on Elsworthy Rise, south of the junction with King Henry's Road, to help meet demand in the area for secure cycle storage.
- 2.26 Following analysis of the consultation results, no further changes are recommended.

Extending the dockless e-scooter and cycle hire parking bay on King Henry's Road

- 2.27 The existing dockless e-scooter and cycle hire parking bay on King Henry's Road, located to the west of the junction with Primrose Hill Road, would be doubled in length from 5.5m to 11m to increase capacity and help to improve access to alternative sustainable transport options. During the consultation, several concerns were raised regarding dockless e-scooters and cycles being left on the pavement. It is envisaged that the extension of the existing bay would help to address this problem.
- 2.28 Following analysis of the consultation results, no further changes are recommended.

Adding new and extended sections of double yellow lines at several junctions

- 2.29 In total, approximately 41m of permit holder-only parking and 8.6m of pay-by-phone / permit holder parking would be replaced with double yellow lines, as part of Camden's Junction Protection/Safer Junctions programme, to keep all junctions clear of parking for up to 10 metres from the junction entrance to improve visibility and reduce road danger for all road users. These junctions are:

- King Henry's Road / Elsworthy Rise
- Wadham Gardens / Lower Merton Rise
- Wadham Gardens / Harley Road
- Elsworthy Road / Elsworthy Terrace
- King Henry's Road / Primrose Hill Road
- Elsworthy Road / Elsworthy Rise
- King Henry's Road / Harley Road (new)
- Lyttleton Close / King Henry's Road (new)

- 2.30 The two new locations were added to the proposals in response to several comments received during the consultation regarding the need for safety improvements. Respondents highlighted that cars often park on the existing single yellow lines close to the King Henry's Road / Harley Road junction, reducing visibility and making it unsafe for pedestrians to cross there.
- 2.31 Additionally, respondents also highlighted that there is poor visibility for vehicles leaving Lyttleton Close onto King Henry's Road, due to vehicle parking to the west, in close proximity to the junction. In response to these

consultation comments, the proposals have been updated to include junction protection measures in the form of double yellow lines at these locations. In addition to the 5.5m of permit holder-only parking that would be removed, as included in the total parking loss for junction protection measures referred to in **Section 2.29**, approximately 48m of single yellow lines would be converted to double yellow lines, to accommodate these two additional locations.

#### Adding Healthy School Street advanced warning signage on Elsworthy Road

- 2.32 In response to comments received in the public consultation, advanced warning signage is proposed on Elsworthy Road, on the eastbound approach to the timed Healthy School Street motor vehicle restriction that starts at the junction with Elsworthy Rise. There are currently no advanced warning signs on Elsworthy Road alerting drivers of the timed restriction ahead and signs would give drivers more time to react and take alternative routes.
- 2.33 Vehicle access to properties in the area would not be impacted by any of the proposals listed above.
- 2.34 If approved, the proposals listed above, in totality, would require approximately 54m of permit holder only parking to be removed from the Controlled Parking Zone CA-J, equivalent to approximately 9 vehicle parking spaces. An additional 8.6m of pay-by-phone / permit holder only parking would be removed from Elsworthy Terrace, equivalent to approximately 1.4 parking spaces. A further 84m of single yellow line parking restrictions would be replaced with double yellow lines.
- 2.35 The latest parking pressure data for Controlled Parking Zone (CPZ) CA-J, in which the scheme is located, shows that there are a total of 2008 resident parking spaces in the zone, with 1461 active resident permits giving a total surplus of 547 spaces and approximately 27% spare capacity across the CPZ. This indicates there is suitable spare capacity to accommodate the proposed loss of approximately 9 vehicle parking spaces across the scheme area, with spare capacity available for those who need it.
- 2.36 If the proposals to introduce new pedestrian, road safety, public space and environmental improvements, outlined in **Section 2.11** above, were approved, they would be introduced on a permanent basis under a Traffic Management Order (TMO). The statutory consultation on this TMO would be expected to commence in Summer/Autumn 2024. If objections to the TMO consultation were received, they would be considered and provided in a TMO objection report which would be delegated to the Director of Environment and Sustainability.

### **3. OPTIONS APPRAISAL**

- 3.1 This report presents three key options to the decision maker. These are:
- **Option 1** is to proceed and implement the proposals to make the current, trial ETO permanent and also enable a new TMO consultation

to proceed on the proposed new scheme elements set out in **Section 2** of this report.

- **Option 2** is to proceed with making the current, trial ETO measures permanent with no further changes.
- **Option 3** is to let the ETO for the weight restriction expire and cease to be in force and return the network to its original state with no further measures introduced.

3.2 **Option 1** is recommended to the decision-maker. Proceeding with this option would assist the Council to:

- Meet its transport and wider policy objectives through prioritising active, healthy and sustainable modes of travel;
- Make the area safer, calmer and less polluted for children and families, to live, walk, cycle and to use scooters;
- Improve air quality in the area;
- Meet the We Make Camden ambition to make Camden a green, clean, vibrant, accessible, and sustainable place with everyone empowered to contribute to tackling the climate emergency;
- Act on feedback received from some local stakeholders and monitoring in relation to the existing Experimental Traffic Order scheme; and
- Act on some of the responses and issues raised during the public consultation (see **Appendix B**) of this report.

3.3 **Option 2** is not recommended as it: (i) would not provide further pedestrian, road safety, public realm and environmental improvements in the area; (ii) would not respond to feedback and monitoring data gathered during the trial period; (iii) would not sufficiently respond to some aspects of the responses to the public consultation; and (iv) does not align with commitments of the [CTS](#), [Cycling Action Plan](#) and the [Climate Action Plan](#).

3.4 **Option 3** is not recommended as it: (i) would not address the high volumes of HGV traffic recorded in the area and would have a negative impact on safety for people walking, cycling and scooting; (ii) would not respond to the feedback and monitoring data gathered during the trial period; (iii) would not respond to some of the issues raised during the public consultation; and (iv) would not meet the Council's commitments of the [CTS](#), [Cycling Action Plan](#) and the [Climate Action Plan](#).

#### 4. **WHAT ARE THE KEY IMPACTS / RISKS? HOW WILL THEY BE ADDRESSED?**

4.1 The following key risks and mitigations of **Option 1** have been identified as per **Table 1** below:

**Table 1: Risks and Mitigations**

Risk	Mitigation
<p>The weight restriction fails to address HGV traffic volumes in the area</p>	<p>New traffic counts would be commissioned if a decision were made to proceed with making the trial scheme permanent. If the data gathered provides evidence that the weight restriction is not adequately addressing the issue of HGV traffic volumes, additional mitigation measures may then be considered in the area subject to further consultation as required. An example mitigation measure for consideration is revisiting the original proposals for a physical width restriction in one or more locations.</p>
<p>Loss of resident permit holder parking and single yellow line parking in the area</p>	<p>If the new proposals are approved, approximately 54m of permit holder-only parking would be removed from the Controlled Parking Zone (CPZ) CA-J, equivalent to approximately 9 vehicle parking spaces. A further 84m of single yellow lines would be removed. This is in line with Policy 1c of the Camden Transport Strategy, which states that <i>'The Council will change how road space is allocated, including reducing kerbside space for parking/loading provision and reallocating carriageway space to active, sustainable travel modes, if necessary, to enable and encourage people to walk and cycle, to improve road safety and deliver enhancements to the public realm.'</i></p> <p>The latest parking pressure data for CPZ CA-J, in which the scheme is located, shows that there are a total of 2008 resident parking spaces in the zone, with 1461 active resident permits giving a total surplus of 547 spaces and approximately 27% spare capacity across the CPZ. This indicates there is suitable spare capacity to accommodate the proposed loss of approximately 9 vehicle parking spaces across the scheme area, with spare capacity available for those who need it. As stated on the Council's website, a resident's parking permit does not guarantee the holder a space to park on their street, but it allows them to park within the CPZ where they live.</p> <p>Whilst the proposed removal of single yellow lines could reduce visitor parking capacity in the area, most of the locations are not currently suitable for parking vehicles, for example at existing junctions, footway build-outs and across residential accesses.</p>
<p>Loss of paid-by-phone parking from Elsworth Terrace</p>	<p>Approximately 8.6m of pay-by-phone / permit holder only parking would be removed from Elsworth Terrace. This equates to approximately 1.5 parking spaces only. This may impact people who are reliant upon a car to access local destinations such as</p>

Risk	Mitigation
	Primrose Hill. We would continue to monitor this however, as noted in the CTS, the Council will remove parking, where necessary, to enable improvements for pedestrians (and cyclists).
Risk that the extended dockless e-scooter and cycle hire bay could lead to additional blocking of the pavement by users failing to park in the designated bay	It is envisaged that the increased capacity would help to reduce the risk of e-scooters/cycles being left on the pavement, however, this would be monitored if a decision is made to proceed with the scheme. If an issue is identified, alternative locations or further mitigation measures may then be considered.
Concerns about safety at the King Henry's Road junction with Primrose Hill Road have not been addressed	Improvements to this junction are being considered under separate proposals to upgrade the junction of Primrose Hill Road and King Henry's Road.
Delays to delivery of the scheme/implementation timeline due to unforeseen delays	If the timeline for delivery is affected by delays which cause the delivery of the TMO and subsequent TMO scheme to be delivered on-site these would be considered and delegated to the Chief Engineer.
Unforeseen safety issues arise during the Road Safety Audit process	The designs have been developed in line with guidance and would go through the full Road Safety Audit 1 & 2 process during detailed design. The comments received during this RSA process would be reviewed, and if needed any issues addressed during the detailed design process before implementation. A subsequent post-installation stage 3 road safety audit process would take place.
Increase in cost due to inflation and associated materials cost increases	The Council has standard rates included in contracts with uplifts added. Items within the costing estimates have been uplifted by 10% in order to account for increased fees for supply and delivery and to adjust for inflation.

4.2 A full assessment of the proposals' impacts on the nine groups protected by the Equality Act, 2010 is included in the Equality Impact Assessment (**Appendix C**). The assessment has highlighted that there are many potentially positive benefits for protected groups associated with the proposal to make the trial scheme permanent and implement new, permanent pedestrian, road safety, public realm and environmental improvements in the King Henry's Road area. Negative impacts were also considered, these largely related to the impact of the proposed loss of parking on individuals who may be reliant on a car such as disabled or mobility-impaired people, elderly people and pregnant women. The EqIA concluded that the proposals, if implemented, would have an overall positive impact on the majority of groups with protected characteristics. The Equality Impact Assessment (**Appendix C**) should be read in full in conjunction with this report.

4.3 A Stage 3 Road Safety Audit (RSA) was undertaken following the implementation of the trial 7.5-tonne weight restriction and no concerns were

raised. If the new proposals are approved, a further Stage 1 & 2 RSA would be carried out during the detailed design stage and any safety concerns raised would be addressed where feasible. A stage 3 RSA would then be carried out following the implementation of any new measures. If any concerns were highlighted during the audit process, the Council would investigate further and respond to these accordingly with delegated authority for any further design changes to the Chief Engineer.

## 5. CONSULTATION AND ENGAGEMENT

- 5.1 The area-wide trial 7.5-tonne weight restriction was introduced in response to feedback from the local community and a public consultation which took place in January 2021. The proposal for a trial weight restriction formed part of a wider scheme in the area, including a trial Healthy School Street on Elsworthy Road and permanent pedestrian improvement measures on Primrose Hill Road which, following a separate public consultation during September and October 2023 for those elements have since been made [permanent](#).
- 5.2 Feedback was collected from residents and stakeholders during the trial period for the weight restriction using the Council's dedicated [Commonplace website](#). The Council also engaged with key statutory consultees/groups, including various organisations representing the groups identified by the Equality Act 2010, groups representing various transport users, the emergency services and Ward Councillors in the Primrose Hill Ward.
- 5.3 A full [public consultation](#) was undertaken for three weeks, between 01 March 2024 and 21 March 2024, on proposals to make the trial scheme permanent along with proposals for several new permanent pedestrian, road safety, public realm and environmental improvements in the King Henry's Road area. The details of how the consultation was carried out and a detailed overview of responses received are contained in the Consultation Summary Report (**Appendix B**).
- 5.4 69 individuals responded to the online consultation and three responses were received from local groups/organisations/stakeholders.
- 5.5 Consultees' views on the proposals to make the scheme permanent, along with the additional new measures are summarised in **Table 2**.

**Table 2: Support/Opposition to the Proposals**

Proposal	Agree	Neutral	Disagree	Unsure
<b>Make the area wide 7.5 tonne weight restriction (except for access) permanent</b>	<b>49 (71.0%)</b>	2 (2.9%)	17 (24.6%)	1 (1.4%)
<b>Wider pavements and pedestrian crossing improvements on Elsworthy Road outside St Paul's CE Primary School</b>	<b>28 (40.6%)</b>	12 (17.4%)	<b>28 (40.6%)</b>	1 (1.4%)
<b>A new zebra crossing on</b>	<b>32 (46.4%)</b>	6 (8.7%)	30	1 (1.4%)



Proposal	Agree	Neutral	Disagree	Unsure
King Henry's Road east of the junction with Elsworthy Rise			(43.5%)	
Junction improvements along Wadham Gardens at Lower Merton Rise, Elsworthy Road and Harley Road	27 (39.1%)	7 (10.1%)	<b>33 (47.8%)</b>	2 (2.9%)
Four new cycle hangars	24 (34.8%)	15 (21.7%)	<b>28 (40.6%)</b>	2 (2.9%)
An extended dockless e-scooter and cycle hire bay on King Henry's Road	22 (31.9%)	7 (10.1%)	<b>39 (56.5%)</b>	1 (1.4%)
New and extended sections of double yellow lines at several junctions	24 (34.8%)	12 (17.4%)	<b>33 (47.8%)</b>	0 (0.0%)

5.6 A majority of consultation respondents disagreed with four of the proposals, as highlighted in **Table 2** although the actual numbers of responses are not high in each case. Respondents to the consultation were given the opportunity to provide their specific comments/concerns regarding the individual proposals. Officers have responded to these comments/concerns and issues raised have been addressed, with mitigation measures/actions included where relevant. The Consultation Summary Report (**Appendix B**) provides an overview of these comments/concerns received during the consultation and Officer responses.

5.7 The [consultation information](#) provided for the final proposed scheme, in alignment with the [Cabinet-approved approach](#) to consultation and decision-making on Camden's Healthy Streets programme, clearly set out that the final Officer recommendations on whether or not to make the trial scheme permanent, and any additional measures, would be based on a mixture of "officer observations, consultation responses, feedback received during the trial period, relevant policies, and other data/information".

## 6. LEGAL COMMENTS OF THE BOROUGH SOLICITOR

6.1 The recommendations in this report are being considered in the Council's capacity as the Local Highway/Traffic Authority for the Borough.

### *Highways Act powers*

6.2 Part V of the Highways Act 1980 (Improvement of highways) sets out various powers for local highway authorities to carry out works in or near public highways. The general power of improvement in section 62 is followed by a number of specific powers.

6.3 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.

- 6.4 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.

*Road Traffic Regulation Act 1984 (RTRA 1984)*

- 6.5 Under section 6(1) of the RTRA 1984 (orders similar to traffic regulation orders), as a traffic authority within Greater London the Council may make an order for controlling or regulating vehicular and other traffic (including pedestrians) on roads within the Borough for which it has responsibility. Such an order may be for any of the purposes or with respect to any of the matters mentioned in Schedule 1 to the RTRA and for any of the purposes mentioned in paragraphs (a) to (g) of section 1(1) (traffic regulation orders outside Greater London) of that Act. Such an order may be made only where it appears to the authority that is expedient to make the order for the purpose(s) in question.
- 6.6 Section 122(1) of the RTRA confers a duty on the Council to exercise its functions under that Act (so far as practicable having regard to the matters specified in section 122(2)) 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. Based on case law applicable to another RTRA power, it is considered that “safe” in section 122 (1) means “not at risk of accident”, rather than “free from ill health. The matters specified by section 122(2) 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;*
- (c) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);*
- (d) 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*
- (e) any other matters appearing to ... the local authority ... to be relevant.”*

*Road Traffic Act 1988*

- 6.7 Section 39 of the Road Traffic Act 1988 requires the Council to prepare and carry out a programme of measures designed to promote road safety, to carry out studies into accidents arising out of the use of vehicles on roads in its area, and – in the light of those studies - to take such measures as appear to the Council to be appropriate to prevent such accidents, including giving advice and practical training to road users, the construction, improvement, maintenance or repair of roads for which they are responsible, and other measures taken in the exercise of its powers for controlling, protecting or assisting the movement of traffic on roads.

*The Network Management Duty*

- 6.8 The Network Management Duty Guidance was published in November 2004. In terms of public consultation it states that the local traffic authority should seek the views of residents, local businesses and the different road users both when deciding which policies on network management to adopt and when monitoring whether these policies are delivering the required outcomes. Such consultation should preferably be part of the authority's overall public consultation programme.
- 6.9 Under section 16 of the Traffic Management Act 2004 (the network management duty), the duty of a traffic authority is 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. Under section 17(5) of the Traffic Management Act 2004 the network management duty includes obligations on traffic authorities to monitor the effectiveness of the implementation of their decisions and assess their performance in managing their network.

*The Mayor of London's Transport Strategy*

- 6.10 The Mayor's Transport Strategy 2018 is issued under Part V of the Greater London Assembly Act 1999 (Transport), specifically section 144(2) (duties of London borough councils etc.) which empowers the Mayor to issue guidance to London borough councils, among other bodies and persons. Under section 144(1) London borough councils are to have regard to the guidance in exercising any function.

*The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (SI 1996/2489) ("the 1996 Regulations")*

- 6.11 The procedure for making experimental or permanent traffic orders is set out in the 1996 Regulations. Before making a traffic order, the Authority must consult any relevant bus operator, Transport for London, the chief officer of the appropriate NHS trust (or foundation trust), the fire and rescue authority, the Freight Transport Association, the Road Haulage Association and "such other organisations (if any) representing persons likely to be affected by any provision in the order as the order-making authority thinks it appropriate to consult". The authority must also consult with the chief officer of police of any area in which the road in question is situated.

- 6.12 The 1996 Regulations also set out a number of procedural requirements such as a requirement to publicise the Council's intention to make the Order before actually making it and making a copy of the proposed order available for inspection. Public notification must also draw attention to the right to object in writing. There are further publication/notification requirements which come into play if and when an Order is made. A permanent Order can only be made after considering objections.

#### *Statutory Consultation*

- 6.13 In *R (on the application of Moseley) v London Borough of Haringey* [2014] UKSC 56, the Supreme Court approved a list of four legal requirements relating to public consultation, which had previously been approved by the Court of Appeal in *R v Brent London Borough Council ex parte Gunning* (1985) 84 LGR 168—and therefore often referred to as the 'Gunning' or 'Sedley' requirements. These are that:

1. consultation must be at a time when the authority's proposals are still at a formative stage;
2. the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
3. adequate time must be given for consideration and response; and
4. the product of consultation must be conscientiously taken into account in finalising any proposals.

- 6.14 In terms of the fourth point, the decision maker must consider consultation responses with 'a receptive mind' (*R v Camden London Borough Council ex parte Cran* [1995] EWHC 13 (Admin)) and be prepared to change course if persuaded (*R v London Borough of Barnet ex p B* [1994] ELR 357). But there is no duty to adopt the views of consultees (*R (Smith) v East Kent Hospital NHS Trust* [2002] EWHC 2640 (Admin)).

#### *Equality*

- 6.15 The Council must, when carrying out the Council's functions (which includes making decisions), have due regard to section 149 of the Equality Act 2010 (the Public Sector Equality Duty). This duty includes having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic (including people with a disability) and persons who do not share it. The Council must consider the duty, which is personal to decision makers. In order to assist the Council to comply with section 149, an EqIA is attached as **Appendix C** to this report. The relevant decision-maker must carefully consider the EqIA as applicable to the schemes they are asked to approve. Please also see the summary of key equality points in **Section 4** above.
- 6.16 The Council should also bear in mind relevant parts of the United Nations Convention on the Rights of Persons with Disabilities and the United Nations Convention on the Rights of the Child. Some of those parts relate to (as regards persons with disabilities) the physical environment, transportation, personal mobility and sporting and leisure activities (UNCRPD), and (as

regards children) self-reliance and active participation in the community of disabled children, standards of health, dangers and risks of environmental pollution, and recreational and leisure activities (UNCRC).

- 6.17 In summary, the PSED requires the Council, when exercising its functions, to have 'due regard' to the need to:
1. Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act (which includes conduct prohibited under section 29);
  2. Advance equality of opportunity between people who share a relevant protected characteristic and those who don't share it;
  3. Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding).
- 6.18 Under the duty the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion, sex, and sexual orientation. In respect of the first aim only i.e., reducing discrimination, etc the protected characteristic of marriage and civil partnership is also relevant.
- 6.19 In addition, with reference to disability, the Council has a duty under section 29 of the Equality Act 2010 (set out in the EQIA) not to do anything that constitutes discrimination (or victimisation or harassment) in the exercise of a public function, and a duty to make reasonable adjustments. The EQIA is also important material in this regard.
- 6.20 The Council should be aware that the PSED is not a duty to achieve the objectives or take the steps set out in section 149. Rather, the PSED requires the authority to take the specified needs into proper consideration when carrying out its public functions. There must be a proper appreciation of the potential impact of the decision on the equality objectives set out in section 149 and of the desirability of promoting them. "Due regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. Provided due regard is had in this way, including considering mitigation measures as described below, it is for the Council to decide, taking into account all relevant factors (which may, depending on the circumstances, include the requirement upon the Council to operate within its budget) how much weight to give to the equality implications of the decision.
- 6.21 In exercising its road traffic and highway powers, the Council is exercising a "public function": Under section 29 of the Equality Act 2010, it must not, when exercising a public function, "do anything that constitutes discrimination, harassment or victimisation" (section 29(6)) and it must make reasonable adjustments (section 29(7)). The duty to make reasonable adjustments arises in relation to disabled persons and under section 20 of, and Schedule 2 to, the Equality Act 2010.

## 7. FINANCE COMMENTS OF THE EXECUTIVE DIRECTOR, CORPORATE SERVICES

7.1 The estimated cost of implementing the proposed scheme is £149,000. This cost would be covered by Transport for London / Local Implementation Plan funding of approximately £133,000 and LBC Capital funding of approximately £16,000. Funding for the project is from capital code 1060086.

## 8. ENVIRONMENTAL IMPLICATIONS

8.1 The proposals detailed within this report are expected to have positive implications for the environment, encouraging restrict HGV traffic movements in the residential streets of the King Henry's Road area, and supporting sustainable modes of transport, such as walking and cycling, which improve air quality and help reduce greenhouse gas emissions. The proposals strongly align with the objectives of the [Clean Air Action Plan](#) and [Climate Action Plan](#), also responding to three of the 17 actions that the Camden Citizens' Assembly on the Climate Crisis agreed the Council should take to tackle the climate crisis, these being to 'create more green space on residential streets', 'promote and trial car-free zones and days', 'plant trees and retain public spaces'.

8.2 Air quality has been monitored in the local area via a network of diffusion tubes located on residential streets and main roads, between 2022 and 2023. As identified in the Monitoring Factsheet (see **Appendix D**), average air quality (NO<sub>2</sub>) data collected at 12 sites in the local area between 2022 and 2023 showed an overall reduction in harmful NO<sub>2</sub> concentrations both in absolute terms (1.45µg/m<sup>3</sup> of NO<sub>2</sub>) and as a percentage (5.8%).

## 9. TIMETABLE FOR IMPLEMENTATION AND NEXT STEPS

9.1 A summary of the indicative programme and next steps for making the trial scheme permanent with additional changes, if approved, is set out in **Table 3** below:

**Table 3: Timeline if Proposals Approved**

Date	Stage
04 June 2024	Decision date
June 2024	Communications to stakeholders about decision and next steps
July 2024	ETO for current, trial scheme measures made permanent
July to December 2024	Detailed design for the proposed new Safe and Healthy Streets measures subject to above
Autumn 2024	TMO consultation on new permanent pedestrian, road safety, public realm and environmental improvement measures outlined in <b>Section 2</b> above and consideration given to any objections to arising from those TMOs

2025	Construction of proposed new Safe and Healthy Streets measures subject to above
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## **APPENDICES**

**Appendix A - Proposed Scheme Drawings**

**Appendix B - Consultation Summary Report**

**Appendix C - Equality Impact Assessment**

**Appendix D - Monitoring Factsheet**

**Appendix E - Consultation Materials**

**Appendix F - Strategic and Policy Alignments**

**REPORT ENDS**