



City of Westminster

Cabinet Member Report

Decision Maker:	Cabinet Member for Sustainability and Parking
Date:	04 October 2016
Classification:	General Release
Title:	Cycle Superhighway 11 (CS11) – Response to petition (Daniel Howard)
Wards Affected:	Abbey Road, Marylebone High Street, Regent's Park
Key Decision:	No
Financial Summary:	No financial implication
Report of:	Executive Director for City Management and Communities

1. Executive Summary

- 1.1 Transport for London's (TfL) Cycle Superhighway 11 (CS11) project proposes to implement a continuous cycle route between St. John's Wood and the West End. Within the City of Westminster the proposed alignment of this route is Avenue Road, the Outer Circle Regent's Park, Park Crescent and Portland Place.

The CS11 project proposes to remove the one-way gyratory system at Swiss Cottage, introducing two-way traffic flow on Finchley Road and Adelaide Road, while improving public realm and conditions for pedestrians, cyclists and bus users in Avenue Road between Adelaide Road and Finchley Road. Proposals to close four gates, between 11am and 3pm, in The Regent's Park and two different options for cycle lanes in Portland Place have also been consulted on by TfL.

Public consultation for Cycle Superhighway 11 (Swiss Cottage to Portland Place) was consulted upon by TfL between 8 February 2016 and 20 March 2016. In response to the consultation, a petition was started on the City Council's website, to reject all proposals for the Cycle Superhighway 11 scheme. The petition was presented to Full Council on 27 April 2016 with 4,149 signatures.

- 1.2 This report responds to the issues raised in this petition and advises on the action taken in respect of this petition.
- 1.3 This report acknowledges TfL's Cycle Superhighway 11 consultation report, which was published on 3 August 2016 and that TfL are currently holding meetings with stakeholders in a bid to resolve issues raised during consultation regarding CS11.

2. Recommendations

1. That the Cabinet Member for Sustainability and Parking notes the receipt of the petition.
2. That the Cabinet Member for Sustainability and Parking notes that responses have been provided to the issues raised in the petition. Any residual concerns will be taken into consideration, while TfL develop the next stages of the proposed design.
3. That the petitioners and the Cabinet Member for Sustainability and Parking are advised of the actions to be taken in respect of this matter.

3. Reasons for Decision

To respond to various issues raised in the petition presented by Councillor Lindsey Hall to the Full Council meeting on 27 April 2016 and address particular issues by providing detailed reasoning and analysis.

4. Background, including Policy Context

- 4.1 TfL's Cycle Superhighway 11 (CS11) project proposes to implement a continuous cycle route between St. John's Wood and the West End. Within the City of Westminster the proposed alignment of this route is Avenue Road, The Outer Circle Regent's Park, Park Crescent and Portland Place. This project is being funded by Transport for London (TfL). Public consultation for Cycle Superhighway 11 (Swiss Cottage to Portland Place) was consulted upon by TfL between 8 February 2016 and 20 March 2016.
- 4.2 The key policies contained within the City of Westminster City Plan form the basis of the Council's response to this consultation. Policy S41 of the City Plan,

“Pedestrian Movement and Sustainable Transport”, confirms that sustainable transport options will be supported and provided for. This includes providing for cycling facilities as part of all new developments, including facilities for residents, workers and visitors as appropriate and reducing reliance on private motor vehicles and single person motor vehicle trips.

- 4.3 One of the high level objectives within the City Council's Cycling Strategy is to create safer and more legible cycle routes through working in partnership with TfL and neighbouring authorities to deliver the Central London Cycle Grid, of which Cycle Superhighway 11 forms part.
- 4.4 In response to the TfL's public consultation, a petition was presented to Full Council on 27 April 2016 by Councillor Lindsey Hall. This petition was also submitted on the City Council's website. The online petition received 4,149 signatories and closed on 27 April 2016. The detail and results of which are summarised below, but not limited to the following -

*We the undersigned petition Westminster City Council to:
'stop Transport for London's ill planned Cycle Superhighway 11 scheme in Swiss Cottage, Avenue Road, St. John's Wood and beyond.'*

Created by: Mr Daniel Howard

The petition's details read:

The Finchley Road, Avenue Road and Regent's Park currently act as traffic-calming filters allowing large flows of traffic travelling in from the M1 at Brent Cross and beyond safely and efficiently into Central London.

- 1) *This catastrophically ill-thought out scheme will cause massively increased congestion resulting in gridlock, increased air pollution and will bring a large part of London to a halt affecting many thousands of commuters, local residents, small businesses and will endanger lives by increasing emergency vehicle response times.*

This scheme must be scrapped or totally redesigned.

5. Response to petition

- 5.1 *This catastrophically ill-thought out scheme will cause massively increased congestion resulting in gridlock, increased air pollution and will bring a large part of London to a halt affecting many thousands of commuters, local residents, small businesses and will endanger lives by increasing emergency vehicle response times. This scheme must be scrapped or totally redesigned.*

Traffic modelling, to assess the impact of these proposals, has only been carried out by TfL for the section of the route between Swiss Cottage and Marylebone Road. No traffic modelling has been carried out for the Portland Place section of the route. Additionally TfL's traffic modelling has not included known developments, including High Speed 2 (HS2) and the St John's Wood Barracks.

It is unfortunate that the traffic modelling undertaken by TfL has not been shared fully with the public and stakeholders through the consultation process. TfL has limited the release of data, which sets out general traffic and cycle journey time impacts along the Cycle Superhighway 11 route, bus journey time impacts and pedestrian wait times at signal controlled crossing locations along the route. This level of traffic modelling data is not sufficient to enable affected parties to quantify the traffic impacts associated with the proposals, and to understand how TfL intends managing the traffic passing through the area. TfL has suggested that traffic will be controlled through its Active Traffic Management (ATM) strategy, however it has not quantified how it will do this.

It is essential that TfL undertakes additional traffic modelling and shares the modelling assumptions with the City Council and its residents and businesses. This will assist all stakeholders in understanding fully the traffic impacts associated with the Cycle Superhighway 11 (CS11) proposals. The City Council supports the strong local feelings that TfL should adopt a holistic approach by considering the combined impacts of several schemes and major redevelopments in its modelling of CS11. There is significant concern that TfL's modelling needs to consider the redevelopment of the St John's Wood Barracks and the potential traffic impact of HS2, albeit that the works for the latter will not happen for at least five years.

Due to the lack of clarity of the traffic impacts of the proposals, the City Council objects to the proposed closure of the four gates in The Regent's Park (Macclesfield Bridge, York Gate, Park Square West and Park Square East). The City Council has been consistent in its advice to TfL and The Royal Parks Agency of the need to take measures to slow traffic on the Outer Circle for this scheme, rather than adopt gate closures.

Two options are presented in TfL's consultation for the Portland Place element of the scheme, which comprise either advisory cycle lanes or segregated cycle lanes, yet TfL's traffic modelling completed to date has not included Portland Place. The City Council cannot indicate a scheme preference without understanding the traffic impacts of both options.

The City Council's position on Cycle Superhighway 11, as set out in the Cabinet Member Decision dated 24th March 2016 (refer to background papers) is that The City Council cannot at this stage support the proposals. The City Council therefore objects to the proposals being implemented on behalf of its residents

and businesses who, together with the Council, have requested detailed information on the traffic modelling work undertaken on several occasions.

The City Council acknowledges the Cycle Superhighway 11 consultation report https://consultations.tfl.gov.uk/cycling/cs-11/user_uploads/cs11-consultation-report-final.pdf-1, which was published on 3 August 2016 and is summarised below.

The Cycle Superhighway 11 consultation report received 6,270 responses from various stakeholders, residents, businesses and others to TfL's consultation, of which 60% supported or partially supported the CS11 proposals. 37% did not support them, while 3% said they were not sure or did not give an opinion. Four petitions were also submitted to TfL regarding CS11; three in opposition and one for the proposals.

The main comments raised during the consultation were:

- Concerns of the negative impact on motor vehicle traffic, which will adversely affect congestion, air pollution and journey times.
- Concerns over the raised junctions proposed in The Regent's Park and how they will impact the safety of pedestrians and cyclists.
- Support in principle of improved cycling provision, more segregation and extension of the scheme further north.
- Concern over the peak hour closures of gates in The Regent's Park and the negative impact it will have on motor traffic.
- Concern the impact CS11 will have on motor vehicle dependant road users, such as, emergency service vehicles, disabled, elderly etc.
- Concern for the impact other developments in the vicinity will have on the CS11; for example, HS2.
- Support for the gate closures, as it will improve the park for all users and visitors.
- Support for Option B in Portland Place, which proposed segregated facilities for cyclist.
- Concerns over banned turns, such as College Crescent and Hilgrove Road, making motor traffic journeys longer, potentially displacing traffic (including HGVs) onto nearby minor roads.
- Comments expressing a view on the quality of consultation process, such as dissatisfaction with the consultation publicity; concerns about traffic modelling; calls for more information on the scheme's benefits; dissatisfaction with the timing of the consultation.

No decision has been taken, as to whether TfL intends to proceed with CS11. TfL will continue to give proper consideration to the full range of issues brought to their attention through the consultation process. TfL will also continue to discuss the potential impacts of the proposals with key stakeholders through a series of meetings and plan to announce their decision later in 2016.

6. Financial Implications

This report has no financial implications.

7. Legal Implications

- 7.1 In accordance with Part 4 of the City Council's Constitution (Council Procedures (Standing Orders), Standing Order 8 refers and the Petition Scheme approved by the City Council on 19 May 2010, and the relevant provisions relating to executive decision-making under the Local Government Act 2000, petitions are to be referred to the appropriate Chief Officer who shall advise the petition organiser, within 3 months or sooner where possible, of the City Council's response to the lodged Petition.
- 7.2 Petition Schemes are governed by the provisions of the Local Democracy, Economic Development and Construction Act 2009 ("The 2009 Act"). Sections 11 – 18 of the 2009 Act sets out the procedural requirements the City Council should have regard to when it receives a Petition. In essence, this requires the City Council, inter alia, to debate the subject matter in an open and transparent way, engage fully in the process by proper consultation with the petition organiser, and such other affected parties, and to appoint an Officer to "be called to account" (defined under the 2009 Act as a "Chief Officer" or "Head of Service") whose responsibility, it is to oversee the Petition process to ensure compliance with the 2009 Act and the City Council's Petition Scheme as provided for under the Constitution. The Petition Scheme sets out explicitly the actions and steps the City Council will undertake when a Head of Service is appointed accordingly.
- 7.3 The City Council when looking at the next stage of design for the Cycle Superhighway 11 Project is obliged to consider the responses to the Petition in a fair, reasonable and proportionate way as part of the decision making process. This measured approach needs to be balanced against the City Council's general power of Competence under Part 1 of the Localism Act 2011 to improve the well-being of its area (the former power being under section 2 of the Local Government Act 2000).
- 7.4 Cabinet members during the decision making process are required to take into account fully the arguments for and against imposing such a scheme as amplified within the body of this report and by attaching the necessary weight to those considerations.

8. Outstanding issues

8.1 None

If you have any queries about this Report or wish to inspect any of the Background Papers please contact:

**Jayne Rusbatch, Project and Programme Manager
at 020 7641 3241 or jrusbatch@westminster.gov.uk**

Background papers

- 1. Cabinet Member Report for Cycle Superhighway 11: Consultation Response Report published 24 March 2016.**
http://committees.westminster.gov.uk/documents/s17518/Cycle_Superhighway_1_1_Scheme_Main_CM_Report_23_March_2016_published.pdf

For completion by the **Cabinet Member for Sustainability and Parking**

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: Councillor Heather Acton

State nature of interest if any

.....
(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled
.....and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for *Sustainability and Parking*

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:
.....
.....

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

Appendix A

Other Implications

1. **Resources Implications** – no implication
2. **Business Plan Implications** – no implication
3. **Risk Management Implications** – no implication
4. **Health and Wellbeing Impact Assessment including Health and Safety Implications** – no implication
5. **Crime and Disorder Implications** – no implication
6. **Impact on the Environment** – no implication
7. **Equalities Implications** – no implication
8. **Staffing Implications** – no implication
9. **Human Rights Implications** – no implication
10. **Energy Measure Implications** – no implication
11. **Communications Implications** – no implication

Note to report authors: If there are particularly significant implications in any of the above categories these should be moved to the main body of the report.