

This report is being taken as an urgent decision under the Council's Special Urgency Procedures as set out in Part 4 of the Council Constitution. The reasons for urgency are contained in the report.

Key Decision Report

Decision maker and date of Leadership Team meeting or (in the case of individual Lead Member or Executive Director decisions) the earliest date the decision will be taken	Lead Member for Planning, Place and Environment Date of report: 2 December 2020 Date of decision (i.e. not before): 2 December 2020 Forward Plan reference: KD05804/20/T/A	 THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
Report title	REMOVAL OF THE KENSINGTON HIGH STREET CYCLEWAY	
Reporting officer	Chief Transport Policy Officer	
Key decision	Yes	
Access to information classification	Public	
Wards	Abingdon, Campden, Holland, Queen's Gate	

1. EXECUTIVE SUMMARY

- 1.1. The Council introduced temporary light segregation cycle lanes on Kensington High Street in early October 2020. This experimental approach has been impacted by many contingent factors relating to the Covid19 crisis, the shutdown of retail sectors for part of this period and dramatic alterations in travel to work and travel to shop arrangements. Following feedback from residents, residents' associations and business groups, the local Member of Parliament and others, the Council plans to remove the cycle lanes with immediate effect.

2. RECOMMENDATIONS

- 2.1. To instruct officers to remove the temporary cycle lanes from Kensington High Street.

3. REASONS FOR DECISION

- 3.1. One of the main reasons for installing the cycle lanes was to assist the recovery of local businesses in the High Street area by making it easier to visit by bike. Since the cycle lanes were introduced, many of these businesses have reported that the lanes have not helped and have in fact made the High Street a less attractive place to trade. Many of the key stakeholder groups who gave their backing to a temporary scheme before it was implemented have concluded that the cycle lanes have not been the success that they hoped for, and have asked us to remove them.

4. BACKGROUND

- 4.1. In July of this year the Lead Member for Planning and Transport took a Key Decision KD05659/20/T/A to approve the Council's Active Travel Plan, which set out measures to support more walking and cycling in response to Government guidance on post-lockdown travel. These were to be introduced quickly and on a temporary basis. The Plan included a scheme to provide light segregation cycle lanes on Kensington High Street. It was hoped that the cycle lanes would support local businesses by making it easier for their customers and employees to travel to the High Street while public transport capacity was reduced. The Plan delegated authority to the Executive Director of Environment and Communities to approve detailed design, and this approval was duly given in September. The scheme was funded and supported by Transport for London using its London Streetspace Plan fund.
- 4.2. The Government encouraged local authorities to install such schemes very quickly, giving no time to carry out a consultation such as we would normally conduct for traffic schemes. However, the Lead Member shared the concept and subsequently the proposed designs with a number of local stakeholders including business and resident groups.
- 4.3. The cycle lanes were introduced between 28 September and 14 October. Minor changes were made to the junction with Earl's Court Road, prior to a planned second phase of works that would include signalling changes at several borough- and TfL-managed junctions. It had also been intended to install bus stop bypasses at four bus stops on the route. Knowing that the lanes would impact on businesses' servicing arrangements, we created temporary loading areas at side roads along the length of the route.
- 4.4. On 5 November, England was placed under a second Covid-19 lockdown.
- 4.5. On 12 November, a number of residents association and business group representatives attended a meeting with the Lead Member and officers to consider the cycle lanes. There was a strongly held view that the scheme was not working, and had not been helpful to businesses before the second lockdown. The principal concern was that since the cycle lanes' introduction, traffic congestion on the High Street had increased substantially. By this time, a petition calling on the Council to

remove the cycle lanes had been set up, and by the end of November it had well over 3000 names on it.

- 4.6. On 25 November, the MP for Kensington and Chelsea and the GLA Member for West Central London published a joint statement calling on the Council to remove the cycle lanes when the second lockdown ended on 2 December. The Council also received several hundred emails about the cycle lanes, both opposing and supporting them. The main themes of the objections were that they had caused a large increase in traffic congestion and associated pollution, that this was creating difficulties for the emergency services, that the cycle lanes were not being well-used, and that the Council should have consulted on the scheme before implementing it. There are strong views about this scheme and since the publication of the MP and Assembly Member's statement, the Council has also received emails calling for the cycle lanes to be retained.

5. PROPOSAL AND ISSUES

- 5.1. In the past week or so, most of the groups who lent their support to a temporary scheme have said that they have concluded the scheme has not been a success, and should be removed. These include the Kensington Society, the Kensington and Chelsea Chamber of Commerce, and Action Disability Kensington and Chelsea. The Kensington Business Forum has fed back comments from businesses in the area that were predominantly negative about the cycle lanes. It is clear that traffic congestion on Kensington High Street in the weeks after the cycle lanes were introduced and before the second lockdown started, has been the single biggest complaint about the cycle lanes. There has been a strongly held concern that after the second lockdown is lifted, traffic levels across London would rise, and that we would see a repeat of the very long queues that were witnessed on Kensington High Street and Kensington Road in the last few days before the second lockdown.
- 5.2. Many residents have reported seeing emergency services vehicles being delayed in traffic, and both the London Ambulance Service [LAS] and the London Fire Brigade have told officers that they will not instruct their drivers to use the cycle lanes to move past slow-moving traffic. Both have made clear to the Council that they have been affected by the recent congestion and the LAS have asked us to review the scheme, while the local fire commander has stated that he does not support the cycle lanes.

- 5.3. Officers presented data to the Review Group meeting on 12 November that showed an increase in journey times on the High Street in the week of 26 October and especially in the first half of the week of 2 November, just before the second lockdown. Whilst this coincided with some roadworks in and close to the High Street that would have contributed to the longer journey times, we do know that the cycle lanes have reduced the traffic capacity of Kensington High Street by, for instance, reducing the number of lanes at key junctions, and by restricting the road to one westbound lane opposite the Royal Garden Hotel. Officers also presented data on cycling levels on the High Street. To date we have had to rely on manual counts by officers – both TfL and RBKC – at various times at weekdays and at weekends. They presented counts suggesting over 500 bikes an hour just before the second lockdown, and around 360 in one hour in the first weekend after it. We have not so far relied on data captured by an automatic traffic counter because officers found that it was under-reporting number of bikes. Following modifications officers report that this is now providing more accurate data and we are seeing over 3000 bikes a day on most days.
- 5.4. Because of all the roadworks, and the volatility in traffic patterns in inner London for the past couple of months, it is difficult to be certain how much of the congestion can be attributed to each of these different contributory factors.
- 5.5. This report recognises local residents' and traders' concerns that the end of the second lockdown is likely to lead to an increase in traffic demand on our roads to at least the levels we saw before the lockdown began, and potentially higher still as we approach Christmas. A great many businesses are very concerned that the High Street will not be able to cope with an increase in traffic if the cycle lanes remain in place.
- 5.6. Before the scheme was implemented and in its early stages, TfL had expressed concerns about bus journey times through the borough. Whilst we have yet to receive further data from TfL on bus journey times and it is too early to have air quality data, there is an urgency expressed by local businesses that swift action needs to be taken.

6. OPTIONS AND ANALYSIS

- 6.1. Officers consider that there are three options available at this stage:
- 1) Remove the cycle lane in its entirety. This would restore traffic capacity to the High Street's previous levels, making it better able to cope with any increase in traffic movements after the end of the second lockdown. People cycling on Kensington High Street would no longer have the benefit of the cycle lanes. Transport for London has written to the Council to ask us not to remove the lanes at this stage.

- 2) Leave the cycle lanes in place at least until early 2021, as requested by Transport for London. This will continue to provide a useful benefit for the people who have been using the lanes over the past few weeks. However, this will mean that the High Street continues to have less traffic capacity than it had before the lanes were introduced, and will be less able to cope with the increase in vehicle traffic that is expected to occur soon after the end of the second lockdown. This would be a significant blow to businesses wishing to attract customers to the High Street in the crucial pre-Christmas period.
- 3) Remove part of the cycle lane, in the areas where it may be having the greatest impact on traffic congestion. This would have benefits for people cycling in those parts of the road where there would still be separation from traffic, but would not provide a continuous route.

7. CONSULTATION AND COMMUNITY ENGAGEMENT

- 7.1. As noted above, there was no formal public consultation on the introduction of the cycle lanes, and if we are to remove the lanes before Christmas in response to requests to support the local businesses, there is no time to carry out a consultation on the lanes' removal. As noted above we do know that the cycle lanes have excited strongly held opinions both for and against them. For example, by the evening of 25 November, we had received over 1000 emails in the ActiveTravel@Rbkc.gov.uk email inbox, split roughly 58 per cent for and 42 per cent against the cycle lanes. Of people who identified as residents of the borough, the split was 31 per cent for and 69 per cent against the scheme. By the end of 30 November, we had received over 2300 emails in total. At least 1000 further emails were received and not yet counted on 1 December.
- 7.2. The Kensington Business Forum has informed the Council that three-quarters of local businesses that had provided feedback to Kensington Business Forum were against the scheme.

8. HUMAN RESOURCES AND EQUALITIES IMPLICATIONS

- 8.1. Officers carried out an Equality Impact Assessment (EQIA) on the introduction of the cycle lanes which found that the lanes would have neutral impacts for all groups with protected characteristics. The EQIA noted mitigation measures such as the provision of additional loading spaces in side roads that would help passengers with reduced mobility to be dropped off close to their destination. Removing the lanes would also remove the need for this mitigation.

9. LEGAL IMPLICATIONS

- 9.1. In May 2020, the Department for Transport issued additional statutory guidance under section 18 of the Traffic Management Act 2004 entitled "Traffic Management Act 2004 : Network Management Response to Covid-19". In this document, local

authorities were encouraged to install lightly-segregated cycle lanes and were advised that a traffic management order was not needed to do so.

- 9.2. Section 16 of the Traffic Management Act 2004 imposes a network management duty on traffic authorities to manage their road network in such a way as to secure the expeditious movement of traffic on their road network and to facilitate the same on other traffic authority's road networks. Such duty is to be carried out as far as may be reasonably practicable and such actions in performing that duty may include any action they consider will contribute to securing (a) the more efficient use of their road network, or (b) the avoidance, elimination or reduction or road congestion or other disruption to the movement of traffic on their road network or another traffic authority's road network.
- 9.3. A similar duty is contained in Section 122 of the Road Traffic Regulation act 1984 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) when exercising a function under that Act. However, it is noted that no traffic orders were made in respect of the cycle lanes as there is no legal requirement.

10. FINANCIAL, PROPERTY, IT AND ANY OTHER RESOURCES IMPLICATIONS

- 10.1. Officers estimate that the cost of removing the cycle lane scheme is £30,000. The Council is likely to have to cover this cost from its own budgets. There is a risk that Transport for London will not fulfil its commitment to fund the cost of installing the scheme, estimated at around £320,000.

Mahmood Siddiqi
Director for Streets and Regulatory Services

Local Government Act 1972 (as amended) – Background papers used in the preparation of this report

None

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Mandatory clearance requirements for all Key and Executive Decision reports

Cleared by Finance (officer's initials)	[SH]
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