

**MUNICIPAL YEAR 2019/2020 REPORT NO. PL 19/109 P**

**ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY**

**PORTFOLIO DECISION OF:**

Cllr Guney Dogan Cabinet Member for Environment & Sustainability

**Agenda – Part:**

**KD Num: KD5041**

**Subject:** Haselbury Neighbourhood Improvements – Moore Brook Green Link Phase 2

**Wards: Haselbury**

**Contact officer and telephone number:**

Ian Russell: 020 8132 0964

E mail: [ian.russell@enfield.gov.uk](mailto:ian.russell@enfield.gov.uk)

**1. EXECUTIVE SUMMARY**

- 1.1 The aim of the Haselbury Neighbourhood Improvements is to make walking and cycling safer, as well as improve the public realm for residents, businesses and schools. Green infrastructure sustainable drainage features, such as rain gardens, will be used to improve the public realm, reduce flood risk, enhance underused green spaces and slow traffic near schools and shops.
- 1.2 As part of these overall aims a series of rain gardens is proposed along a walking route that links Firs Farm Wetlands and Pymmes Park Wetlands, called the Moore Brook Green Link. The first phase of the link was delivered in summer 2019. This report outlines the second phase of the delivery of the Moore Brook Green Link.

**2. RECOMMENDATIONS**

- 2.1 To approve the proposed public realm improvements as described in this report at the following locations (see Appendix 1):
- Bexley Gardens (location 6)
  - Westerham Avenue Shops (location 7)
- 2.2 Accept funding from the Thames RFCC (as shown in Table 1) and seek additional funding both internally and externally from partner organisations identified in this report. Delivery of the scheme will be on a phased basis as funding is secured.
- 2.3 To delegate authority to the Head of Highway Services to authorise the placing of orders through any of the Council's existing relevant term contracts or to invite and evaluate tenders/quotations and, where suitable tenders/quotations are received, to award contracts for the works as part of the delivery of the second phase of the Moore Brook Green Link in compliance with the Council's procurement rules.
- 2.4 To approve the making of the traffic management order (with modifications) pursuant to the Road Traffic Regulation Act 1984 to enable the introduction of rain garden traffic calming measures as detailed in this report.

### 3. BACKGROUND

- 3.1 To address surface water flood risk and urban pollution problems in the Moore Brook river catchment, the Cabinet Member for the Environment and Sustainability has previously approved the concept of using Green Infrastructure SuDS (GI SuDS) as part of a wider package of measures to improve walking and cycling in the Haselbury area. This led to development of the Haselbury Neighbourhood Improvements scheme, of which the Moore Brook Green Link, from Firs Farm to Pymmes Park Wetlands, is a significant part. This report relates to Phase 2 of the Moore Brook Green Link and must be read in conjunction with the approved Portfolio Report PL 18.090 which describes the Phase 1 works.
- 3.2 Phase 1 of the Moore Brook Green Link included rain gardens along Park Lane, Haselbury Road, Westerham Avenue (location 4) and Deansway (location 5), as identified in Appendix 1. This first phase was completed in Summer 2019.
- 3.3 Phase 2 of the Moore Brook Green Link focuses on the public realm improvements outside Westerham Avenue shops (location 7). These include:
- The delivery of rain gardens to improve surface water flood risk and reduce the impact of urban pollution from road runoff
  - Provision of crossing points and traffic calming features to assist local people in walking to the shops
  - Removal of the service road to create a new public space
  - Introduction of new loading bays for exclusive use of temporary loading for shop supplies
  - Reconfiguration of the current parking arrangements to encourage better parking behaviour
  - Inclusion of space for seating, cycle parking and play-on-the-way features for children to enjoy
- 3.4 Local shops and residents were consulted on the proposals on 25th June 2019 (Appendix 2). 28 questionnaires were completed as part of this particular consultation, the responses are summarised as follows:
- 24 were positive about the scheme (> 85%)
  - 3 were negative about the scheme (11%)
  - 10 responses asked for more parking in the scheme (35%)
  - 7 responses requested more lighting in the scheme (25%)
  - Several responders commented that the lack of dedicated loading bays leads to frequent double-parking related problems
- 3.5 The consultation results were used to inform the final designs which now include more street lighting and the relocation of one of the loading bays. The design showed a loss of 5 parking spaces, which is attributed to the introduction of two crossing points, narrowing of the

road to reduce traffic speeds and provision of 3 new loading bays designated for the local businesses.

- 3.6 The intention to make the necessary Traffic Management Orders (TMO's) needed to support the scheme was advertised in December 2019. No responses were received from any of the emergency services or other statutory consultees. However, two responses were received during the statutory consultation period, one (from a resident) was positive towards the scheme, and the other (from the Weir Hall Ratepayers Association) raised objections due to the loss of parking and the potential increase of fly tipping as a result of the scheme. The Weir Hall Ratepayer Association stated that the local businesses also object to the scheme. However, this is contrary to the evidence from the June 2019 consultation, where the majority of businesses expressed positive views towards the scheme. While there will be a loss of up to 5 parking spaces outside the shops, the scheme tries to encourage customers to walk to the businesses, particularly if they live locally. The design includes 18 formal parking spaces. The objection relating to fly tipping is not substantive, as there is no evidence to suggest the design does encourage this behaviour.
- 3.7 As the previous report stated, it is estimated that 21 parking spaces will be lost if all of the proposed SuDS measures are implemented for all phases of the Moore Brook Green Link scheme. This is just under 10% of the available on-street parking spaces on the streets where measures are proposed (the percentage is significantly lower if the remaining parking spaces on adjacent streets is considered). However, it should be noted that many residents along Westerham Avenue and neighbouring streets have private cross-overs and access to garages.
- 3.8 The works at Westerham shops requires the removal of two relatively small trees. This has been discussed with the Principal Arboricultural Officer in Highway Services who agrees that the loss of these two trees will be acceptably mitigated by the provision of ten newly planted trees.
- 3.9 Phase 2 of the Moore Brook Green Link also includes delivery of rain gardens along Bexley Gardens and Beckenham Gardens (location 6). It was identified at an early stage that the existing steps at this location restrict access for certain users and that this would be a good opportunity to improve access for all users by replacing the steps with a ramp. The proposed ramp also creates an opportunity to include greenery. As the design includes the loss of one parking space, nine residents were sent a consultation letter in September 2019.
- 3.10 Three residents responded to the consultation, with two concerned with the loss of the parking space, although it was acknowledged that the residents have access to private garages at the back of their properties which could be utilised for parking.

3.11 Below is a table of funding secured to date for Phase 2:

**Table 1:** Phase 2 Spend Profile

Funding	Source	Amount	Secured	Spend Profile			
				2019/20		2020/21	
				Q3	Q4	Q1	Q2
London Strategic SuDS Pilot	Thames RFCC	£165k	Yes				
Greener City Fund	GLA	£40k	Yes				
Section 106	LBE	£50k	Yes				
LBE Capital Funding	LBE	£50k	Yes				

#### 4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Do Nothing: The scheme aims to reduce surface water flood risk in the Moore Brook catchment, which is exacerbated by the impermeable nature of the area. To do nothing will lose the opportunity to create a more resilient drainage system, connect communities, improve the public realm and create safer streets. This would also mean the loss of opportunity to access external funding. Furthermore, interventions have already been constructed on Westerham Avenue as part of Phase 1 of the Moore Brook Green Link, which rely on successful delivery of Phase 2 to calm traffic speeds and establish a comprehensive walking route along the full length.

#### 5. REASONS FOR RECOMMENDATIONS

- 5.1 Reduced surface water flood risk as highlighted in Enfield's Local Flood Risk Management Strategy (2016).
- 5.2 Improved water quality in Enfield's rivers by removing harmful pollutants from the drainage system.
- 5.3 Enhanced biodiversity and aesthetics by planting a wide variety of species.
- 5.4 Improved traffic management by slowing down traffic in proximity to schools and shops, and making several roads more pedestrian-friendly.
- 5.5 Aesthetic enhancement of the road and the surrounding area.
- 5.6 Improved public understanding and perception of urban drainage issues and sustainable drainage through school and community engagement.

- 5.7 Inspiring more Green Infrastructure SuDS development and collaborative approaches to public realm projects across the borough.
- 5.8 Connecting Green Infrastructure SuDS already in place, as part of the Moore Brook Green Link.

## **6. COMMENTS FROM OTHER DEPARTMENTS**

### **6.1 Financial Implications**

- 6.1.1 The Total capital budget required for this project is £305,000. Council funding requirement is £50,000 and the remaining budget is made up of;
- £165,000 secured grant from Thames RFCC
  - £40,000 secured grant from the Mayor's Greener City Fund
  - £50,000 contribution from S106 receipts

- 6.1.2 Annual maintenance from these works will be funded by existing highways budgets. The spending profile for this scheme is captured on page 4.

### **6.2 Legal Implications**

- 6.2.1 The Council has power under section 1(1) of the Localism Act 2011 to do anything individuals generally may do providing it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way.
- 6.2.2 Under Section 111 of the Local Government Act 1972 local authorities may do anything, including incurring expenditure or borrowing which is calculated to facilitate or is conducive or incidental to the discharge of their functions.
- 6.2.3 The Council will need to ensure that any procurements carried out under this proposal comply with the Public Contracts Regulations 2015 (where applicable) and the Council's Contract Procedure Rules.
- 6.2.4 The Council will need to ensure that the terms and conditions of any grant funding which it is in receipt of are acceptable, and officers should liaise with Legal Services in this regard. The proposal represents a Key Decision as it involves expenditure of £250,000 or more. Officers will therefore need to comply with the governance process in respect of Key Decisions.
- 6.2.5 The Flood Water Management Act 2010 gives Lead Local Flood Authorities (LLFAs) various responsibilities relating to the

management of local flood risk in order to provide preventive measures to mitigate against damage that can be caused by floods in the local area. The public realm improvements mentioned in this report will assist with allowing the Council to meet their obligations and comply with its duties under the 2010 Act.

6.2.6 Section 6 of the Road Traffic Regulation Act 1984 provides powers for the Council as traffic authority to make orders controlling or regulating vehicular and other traffic.

6.2.7 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 prescribe the procedure to be followed in making an experimental traffic management order. Any written objections or representations received during the period of the experiment must be conscientiously taken into account before deciding whether the order should be made permanent

### 6.3 Property Implications

No property implications

## 7. KEY RISKS

7.1 The following key risks relate to implementing the project:

- Loss of on-street parking mitigated through engagement with residents
- Programme of works conflicting with other works in the area, leading to the risk of not spending external funding within the timeframe of the agreement, and therefore losing external funding. This is mitigated by delivering the project in phases.

## 8. INTERNAL DEPARTMENT IMPLICATIONS/CONSULTATION

8.1 The proposals have been reviewed by officers in Traffic and Transportation to ensure that the designs are appropriate from a traffic perspective. They have also been discussed with officers in Highway Services to ensure that they do not create an unacceptable maintenance liability in the future. The final designs will be reviewed and approved by these relevant officers prior to implementation.

## 9. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

9.1 Good homes in well-connected neighbourhoods

By reducing flood risk, improving the public realm and improving infrastructure for walking and cycling this project contributes to the aim of creating good homes in well-connected neighbourhoods.

## 9.2 Sustain strong and healthy communities

This project has potential to significantly improve the green environment in the Haselbury area. Making it easier for residents to walk and cycle improves quality of life and supports independent living. Additionally, increased walking and cycling can lead to increased passive surveillance with associated community safety benefits. Reducing flood risk and pollution also helps to sustain strong and healthy communities.

## 9.3 Build our local economy to create a thriving place

Improving infrastructure for walking and cycling encourages residents to use local businesses and supports the local economy.

## 10. EQUALITIES IMPACT IMPLICATIONS

An equalities impact assessment has been conducted on the proposals ensure that the scheme remains fully accessible by all members of the community and supports the council to meet the Public-Sector Duty of the Equality Act 2010. It should also be noted that the any contracts awarded should include a duty on the successful applicant to assist us with meeting our obligations under the Equalities Act 2010.

## 11. PERFORMANCE AND DATA IMPLICATIONS

The implementation of the scheme will satisfy actions derived from the Local Flood Risk Management Strategy by reducing surface water runoff rates (Objective 4) and helping to protect existing properties from flooding (Objective 5).

## 12. HEALTH AND SAFETY IMPLICATIONS

The scheme will be designed in accordance with the Construction Design and Management Regulations 2015, and industry good-practice standards, to be safe for members of the public.

## 13. PUBLIC HEALTH IMPLICATIONS

- 13.1 These improvements to the environment will reduce risk of flooding, improve the environment and encourage residents to visit Firs Farm and Pymmes Park Wetlands, and encourage local residents and

school pupils to walk thereby increasing the physical activity on offer in Enfield.

- 13.2 It has been estimated that if England achieved the same level of cycling as Holland it would save the NHS £17 billion per year (excluding savings from reduced air pollution).
- 13.3 This is in addition to the less tangible but still significant public health gains that will be accrued through maintaining and increasing green infrastructure.

## **APPENDICIES**

1. Haselbury Neighbourhood Improvements – Consultation Document
2. Westerham Avenue Shops Consultation Drawing
3. Bexley Gardens New Ramp Consultation Drawing