

Committee(s):	Date(s):
Streets and Walkways Planning and Transportation	25 th July 2016 26 th July 2016
Subject: Cloth Fair Noise Disturbance	Public
Report of: Director of the Department of the Built Environment	For Decision

Summary

Cloth Fair is located close to Smithfield Market and has ten residential units, several businesses, a public house and a church. The surrounding area has a busy night time economy consisting of bars, public houses, restaurants and a late night café in the vicinity. Unfortunately, these appear to generate overnight noise disturbances which are on occasions experienced by residents of Cloth Fair.

Cloth Fair is a “Local Access Street” in the City’s highway hierarchy. Local Access Streets are intended to serve the local frontages, rather than a street used for through traffic.

In May 2015, the Grand Court of Wardmote asked for a resolution on the Cloth Fair noise disturbance to be sent to the Court of Common Council. This issue was considered at the Court of Common Council and the resolution was referred to the Planning and Transportation and, Port Health and Environmental Services Committees. In July 2015, the Planning and Transportation Committee were updated that a report would be presented to Committee. In September 2015, at the Port Health and Environmental Services Committee, officers advised that a noise disturbance questionnaire would be sent to local residents and a report would be submitted to the Streets and Walkways Sub-Committee and, Planning and Transportation Committee for consideration. A further Wardmote resolution was submitted to the Court of Common Council on 23rd June 2016.

Anecdotal evidence has indicated that taxis / private hire drivers parking / idling and talking are the main causes of the noise disturbances. Officers have investigated the existing conditions in Cloth Fair. This included consultation with local occupiers for comments on the overnight disturbances. As a result of this 24 responses were received including eight out of ten residents from Cloth Fair. Six options (including ‘do nothing’) to mitigate the noise disturbances were presented for comment and to see if there was a preferred option. The outcome of the consultation showed that:

- Noise disturbances are experienced by all Cloth Fair residents which responded (7 out of 8 residents experienced disturbances at least three times a week);
- The main source of the disturbance is caused by taxis / private hire drivers parking or idling;
- An overnight point road closure was the most favourable proposal to mitigate the noise disturbance.

Officers have also obtained video traffic survey data covering Cloth Fair and around the market for nine days over the Easter period. This has shown that taxis / private hire drivers do park and idle through the night in Cloth Fair. The level of activity is generally consistent with the night time economy. The data shows very low traffic flows in Cloth Fair. Even when Long Lane is congested (due to the market activities) and the number of vehicles using Cloth Fair doubles, the level of traffic flow is still very low.

The Market Superintendent and the Smithfield Market Traders Association (SMTA) have been consulted on the issues in Cloth Fair and the range of options being considered. The SMTA has expressed a strong objection to the overnight point road closure because they consider Cloth Fair is an important alternative route to access the West Smithfield Rotunda Car Park for their staff and customers, when Long Lane is congested.

Officers consider that the overnight point road closure (and associated extension of the two-way traffic operation) is the best option to discourage overnight parking or idling, as the closure will make the street a less convenient place to stop. The overnight point road closure would be enforced by retractable bollards or a gate to physically prevent through access. However as the street is still open, there is no guarantee that this proposal will be fully successful. It is therefore proposed to introduce these on an experimental basis and if this is found to be successful, it can then be made permanent.

In addition, following feedback that the existing bollards along Cloth Fair are causing an obstruction to pedestrians, it is further proposed to remove as many of these as possible.

Recommendation(s)

Members are asked to:

- Note the Noise Disturbance consultation results and the SMTA's objection
- Agree and approve the introduction of an experimental overnight point road closure and associated extension of the two-way traffic operation measure in Cloth Fair as the best option to mitigate against the noise disturbance; and
- Approve the removal of bollards along Cloth Fair that are causing an obstruction to pedestrian movements, where possible.

Main Report

Background & Current Position

1. Cloth Fair has a high number of residential units (10), several businesses, a public house and a church. Located in the area are a number of public

houses, licenced bars and restaurants. Two minutes' walk from Cloth Fair is Smithfield Market and Farringdon Station can be reached in five minutes, these areas also have a busy and growing night time economy.

2. The City of London has received noise complaints from residents of Cloth Fair over a number of years. The disturbances have been investigated by Environmental Health officers but they did not amount to a statutory nuisance. As the act of talking or an idling engine is considered an annoyance rather than a statutory nuisance, therefore no formal action could be taken. However, informal intervention such as temporary signage (as shown in Appendix A) has been introduced but this has not resolved the nuisance. It should be noted that there has only been one recorded noise complaint (March 2014) caused by taxi / private hire drivers made to the City Corporation since May 2010, but a further Wardmote resolution has been submitted to the Court of Common Council in June 2016. Appendix B shows a record of the noise complaints and provides information on statutory nuisance.
3. In May 2015, the Grand Court of Wardmote asked for a resolution on the Cloth Fair noise disturbance to be sent to the Court of Common Council. Following this, the Court of Common Council considered the noise disturbances in Cloth Fair and referred the resolution to the Planning and Transportation and, Port Health and Environmental Services Committees. In July 2015, the Planning and Transportation Committee were updated that a report on this matter would be presented to Committee. Further to this, at the Port Health and Environmental Services Committee in September 2015, officers advised that a noise disturbance questionnaire would be sent to local residents and a report would be submitted to the Streets and Walkways Sub-Committee for comment and Planning and Transportation Committee for a decision.
4. In October 2015, a consultation questionnaire was sent to all occupiers in the immediate vicinity of Cloth Fair. The results of this identified that there was a noise problem and that there was support for measures to be implemented to mitigate this problem. Further details of the consultation are provided later in this report.
5. Following the consultation, a report was prepared for the S&W Sub-committee in February 2016 but was withdrawn to enable further discussions and engagement with the Smithfield Market Traders Association (SMTA) and the market Superintendent. The concerns of the SMTA are detailed later in this report.
6. In May 2016, a further resolution of the Grand Court of Wardmote was referred to the Court of Common Council on 23rd June 2016. The resolution is reproduced as follows: "This Wardmote deplores the City Corporation's lack of progress in addressing the problem of night-time noise and disturbance to residents of Cloth Fair, which was the subject of a resolution passed at our Ward Mote 12 months ago. In particular, we are concerned that, following consultation with residents and other local stakeholders, a paper to the Streets and Walkways Sub-committee setting out a proposed solution was

withdrawn, without discussion, following a representation from Smithfield Market. We recognise that the interests of residents and businesses can at times be difficult to balance, but consider that on this occasion longstanding residential concerns are being ignored. We therefore urge the Planning and Transportation Committee to undertake, as a matter of urgency, to find a solution whereby neither taxis nor market vehicles need to access a narrow residential street in the middle of the night and can use instead more suitable space available in West Smithfield and around the Market itself.”

7. Given the issues described above, officers have made progress to resolve the noise complaints as quickly as possible. A range of highway proposals have been investigated, consulted and approval is now sought to proceed with an experimental scheme which is envisaged to reduce or mitigate the noise disturbance.

Measures / Options & Questionnaire

8. Six highway options (including a “do nothing” option) have been investigated to mitigate the noise disturbances. These are summarised in the table below together with an assessment of the advantages and disadvantages.

Optioneering Table

Measure	Advantages	Disadvantages
Option 1. Prohibiting parking and loading 24 hours and 7 days a week	Can enforce against night time parking Can be implemented in 3 months	Prohibits everyone Difficult to enforce if drivers remain inside or talk close to their vehicle and therefore unlikely to be effective
Option 2. Overnight (11pm - 7am) point road closure by Cloth Court.	Less traffic, not used for through traffic Less likely to be used by taxis as a waiting area Can be implemented in 3 months	Reduced vehicle permeability May not deter parking in Cloth Fair
Option 3. Street signage to politely remind street users that it is a residential area.	Cost effective Targets issue Low impact, preliminary measure Can be implemented immediately	Has been used in the past intermittently with limited impact in reducing the disturbances. Therefore likely to be ineffective. Increase street clutter
Option 4. Reversing the one-way operation in Cloth Fair	Potential to discourage taxis Can be implemented in 3 months	May increase traffic flow, as it would make it easier to travel eastbound. May not be effective
Option 5. Night time parking prohibition	Can enforce against night time parking	Difficult to enforce if drivers remain inside or close to their vehicle and therefore unlikely

in Cloth Fair	Targets problem times	to be effective Against current parking policy, to keep only two parking restriction periods. Committee consideration required. Not so easy to understand the prohibition Large traffic signs required Implementation medium/long term (at least 12 months)
Option 6. Do nothing (leave situation as it is)	No change	No change. Does not address the noise disturbance caused by taxis / private hire drivers parking / idling or talking.

9. A questionnaire (see Appendix C) was sent out to all occupiers in Cloth Fair and the surrounding premises in October 2015. The consultation area and a summary of the responses can be seen in Appendix D.
10. A total of 24 responses were received (19 residents, 3 businesses, 2 other). All Cloth Fair residents which responded reported that they experienced overnight noise disturbance. 7 out of 8 residents from Cloth Fair reported disturbances at least three times a week, and that taxi/private hire drivers are the main cause of the disturbance. Although, the number of responses is low, it does demonstrate that there is a strong concern from the Cloth Fair residents.
11. Option 2, the proposal to introduce an overnight point road closure in Cloth Fair by Cloth Court was the only one of the six options to receive overall support (6 out of 10 Cloth Fair residents' most preferred option).
12. Option 5, the introduction of a night time parking prohibition was the second most preferred proposal but had mixed support. This is probably because it will be difficult to enforce if drivers remained inside or close to their vehicle.
13. Similarly, Option 1 (third most preferred option) which prohibits parking at all times (double yellow lines) will be less effective for the same reason.
14. Additionally, through other consultations, members of the Barbican Association raised an issue regarding the existing bollards in Cloth Fair. They stated that they cause obstructions to pedestrian movements in particular, for those with mobility impairments or push chairs. These bollards appear to have been in place for many years to prevent vehicles mounting the footway but it doing so has made the usable width of the footway impassable to some pedestrians. Therefore, it is recommended to remove as many of these as possible.

Smithfield Market Concerns

15. In February 2016, the SMTA raised an objection to the proposals to close Cloth Fair. They argued that Cloth Fair provides an alternative route to the West Smithfield Rotunda Car Park for their staff and customers when the primary route, along Long Lane is congested. Also they consider the route is especially important during periods when the market is at its busiest time e.g. Easter and Christmas when congestion is much worse.
16. As a result, a report prepared for the Streets and Walkways Sub-Committee in February 2016 was deferred to enable further investigation including obtaining traffic data, and consideration of the market's concerns.
17. Video traffic survey data during the Easter Week covering nine days has now been captured and analysed. It has confirmed that taxi / private hire drivers are parking / idling in Cloth Fair throughout the night. A detailed summary is provided below. Following this, a meeting with both the SMTA and the Superintendent to explore what measures (if any) will be workable to resolve the Cloth Fair issues was held in May 2016. The SMTA consider that the most effective way to achieve this without impacting on the market operations is to introduce double yellow lines. They strongly object to the night time closure as they state that delays in Long Lane are common and unpredictable. The Superintendent preferred that a trial of double yellow line option (Option 1) should be progressed first. This was because the measures were inexpensive and could be effective at addressing the noise disturbance. However, see paragraph 24.

Traffic Data

18. Following the SMTA's objection and the need to fully investigate the impact of any proposal might have on the market, traffic data was collected in Cloth Fair as well as around the market. The SMTA and Superintendent have stated that Easter and Christmas are the Market's busiest periods and therefore, traffic conditions will represent a worst case scenario. The survey was therefore carried out for the week leading up to Easter and during the Easter weekend.
19. The recorded overnight vehicle activity (vehicles parked or idling) attributed to the noise disturbances in Cloth Fair appear to be consistent with the night-time economy and the complaints raised by the residents. Overnight activity (parked or idling) levels are high between Wednesday to Saturday and low between Sunday to Tuesday.
20. Traffic flow in Cloth Fair is generally very low with 230 vehicles (24hr) per day. On average, there is one vehicle every three minutes during the weekday AM and PM peak periods and one vehicle every six minutes between 11pm and 7am, when Smithfield Market is in full operation.
21. Significant traffic delays on Long Lane were observed to occur only on Easter Thursday during the surveyed week. The congestion was caused by the

market's overnight operation (loading, unloading, operation of forklift and pallet trucks, etc.), which resulted in queues from Lindsey Street reaching as far back as Cloth Street. Consequently overnight (11pm and 7am) traffic using Cloth Fair increased from one vehicle every six minutes to one vehicle every three minutes. The daily (24hr) traffic flow on this day was 371 vehicles.

Considerations

22. The consultation outcome showed that an overnight point road closure such as retractable bollards or a gate was the most preferred mitigation measure for residents of Cloth Fair. However, this is opposed by the SMTA because they consider that this will impact on the ability for their staff and customers to bypass the congestion along Long Lane to access the car park. From the traffic surveys, it has been shown (unsurprisingly) that the congestion along Long Lane and around the market is caused by the market operations. Better management of this activity would improve traffic flows and avoid the need for traffic to use Cloth Fair as a through route.
23. Cloth Fair is a narrow street with very narrow footways. Many of the buildings including the residential units have been built up to the boundary, so they are much more prone to noise disturbance. A street view is shown in Appendix E.
24. Cloth Fair is a "Local Access Street" in the City's Local Plan. Local Access Streets are intended to serve the local frontages, rather than a street used for through traffic. Although, in reality, many local access streets are also used for some through traffic movements, however, it is not considered necessary or appropriate for Cloth Fair to accommodate through traffic at night time. A closure in Cloth Fair will not have any material impact on the highway network, as any impact is likely to be limited to those expressed by the SMTA. It will therefore be appropriate to introduce traffic control measures such as the night time closure to manage this street for the benefit of local occupiers.
25. Although the night time parking prohibition or double yellow restrictions had some support in the consultation exercise. They are unlikely to be as effective as the road closure, unless a dedicated resource can be deployed full time to carry out enforcement activity. This is obviously impractical and not recommended. Enforcement of this type of activity is very difficult because when a civil enforcement officer (CEO) arrives, the drivers will simply drive off but only to return when it is clear. Even if the night time parking prohibition option was considered to be appropriate, it will conflict with the implemented policy (Parking & Enforcement Plan) of keeping the number of different parking restrictions to a minimum. Double yellow lines will also impact others wanting to park in Cloth fair as it will prohibit everyone including residents, visitors and even those attending church on Sunday. In addition, the City does not have a 24hr / 7 days enforcement service in place.

Recommendations

26. In view of the considerations, an overnight point road closure (between 11pm and 7am) in Cloth Fair is recommended as the best option to reduce the noise disturbances. An outline plan is included in Appendix F.
27. A point road closure by Cloth Court is the most feasible location for the closure, as this will retain access to an off-street parking area during the time of the closure. An extension to the two-way working will also be necessary so that egress can be made legally (eastbound) from the off-street parking of Nos.41/42 Cloth Fair.
28. It is envisaged that the closure will make Cloth Fair less convenient. Drivers will be unable to use the street as a through route, reducing the benefit for taxi / private hire drivers to park or idle. However, as the street is still open to traffic it may not deter some drivers from parking there. For this reason, there is no guarantee that this proposal will be fully successful. It is therefore proposed to introduce the point road closure (and the associated extension of the two-way working) initially on an experimental basis and if it is found, after taking into account the SMTA's concerns, to be successful, can be made permanent after 6 months.
29. To be effective the closure will need to be physically enforced by bollards or another barrier, such as a gate. Access for pedal cyclists will need to be maintained as Cloth Fair forms part of the approved Cycle Quietways. The closure will be operated by existing City resources.
30. To minimise the impact of the closure to the market, Officers will continue to work with the Superintendent and the SMTA to manage the highway network during the busiest periods and in other unforeseen situations such as an emergency road closure.
31. To address the footway obstruction caused by the bollards, it is proposed to remove as many of these as possible, in consultation with local occupiers.
32. If Members approve the recommendations, it is envisaged that the experimental closure and associated extension of the two-way traffic operation, together with the removal of the bollards could be implemented by October 2016. Monitoring will take place immediately and if successful the overnight point road closure could be made permanent from May 2017.

Corporate & Strategic Implications

33. The proposal is in accordance with the City of London Noise Strategy 2012-2016 to:
 - *“Avoid or reduce noise, and noise impacts, which could adversely affect the health and well-being of City residents, workers and visitors”*
 - *“Balance minimisation of noise and noise impacts with the need to improve and update City infrastructure”.*

34. To support and promote 'The City' as the world leader in international finance and business services.
35. A closure in Cloth Fair will not have any material impact on the highway network, as any impact is likely to be limited to Smithfield Market staff and customers. Therefore the proposed experimental point road closure is not considered necessary to be raised to the Policy and Resources Committee.

Financial Implications

36. The total estimated cost to implement the closure is £25K. This can be met from the Community Infrastructure Levy subject to agreement by the Priorities Board or other appropriate funding. A breakdown of the estimate is provided below.

Point Road Closure Breakdown

Item	Cost
Works	£10K
Fees	£3K
Staff	£12K
Total	<u>£25K</u>

37. Revenue implications for the maintenance and operation of the closure can be contained within the Department of the Built Environment's existing budgets.

Conclusion

38. Overnight noise disturbance caused by taxi/private hire drivers parking, idling or waiting around in Cloth Fair is frequently experienced by residents. To mitigate this, the most effective highway option is considered to be an overnight closure, however implemented initially on an experimental basis and if successful, made permanent.
39. Although the proposals are strongly opposed by the SMTA, a review of the market management operations around the market should improve traffic flows and avoid the need for traffic to use Cloth Fair as a through route.
40. Cloth Fair is a Local Access Street intended to serve the local frontages. It is therefore appropriate to introduce traffic controls such as a night time closure and associated extension of the two-way traffic operation to deter through traffic to assist local occupiers.

Appendices:

- Appendix A: Temporary signage
- Appendix B: Noise Complaint Record
- Appendix C: Consultation Questionnaire
- Appendix D: Consultation Summary Outcome
- Appendix E: Cloth Fair Photos
- Appendix F: Proposed General Arrangement Plan

Albert Cheung
Department of the Built Environment
T: 020 7332 1701
E: albert.cheung@cityoflondon.gov.uk