

Cabinet Member for City Services

18th September 2017

Name of Cabinet Member:

Cabinet Member for City Services – Councillor J Innes

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

Foleshill and Radford

Title:

Report – Objections to Traffic Regulation Order – Proposed Revocation of Section of Bus Lane on Lockhurst Lane and Foleshill Road.

Is this a key decision?

No

Executive Summary:

In Coventry over the last fifteen (15) years there has been a 20% increase in traffic on the City's road network. Traffic information company 'Inrix' analysed congestion over a four (4) year period in eighteen (18) urban areas and Coventry was reported as having one of the fastest rising levels of congestion due to population and economic growth.

The Traffic Management Act 2004 requires the Council to secure the expeditious movement of traffic on the authority's road network. In the face of increasing congestion and air quality issues the Council is reviewing the operation of bus lanes to effectively fulfil its statutory duties under this Act.

In response to the above, Atkins Ltd were commissioned to undertake junction capacity modelling to determine the impact of the removal of bus lanes along the Foleshill Road and Lockhurst Lane. The modelling showed that removal of the bus lanes along with creation of two continuous inbound lanes is beneficial to buses and general traffic.

On 10th August 2017, a Traffic Regulation Order ('TRO') proposing the revocation of sections of bus lane on Foleshill Road and Lockhurst Lane was advertised. Two (2) objections were received.

In accordance with the City Council's procedure for dealing with objections to TRO's they are reported to the Cabinet Member for City Services for a decision as to how to proceed.

The cost of introducing any scheme, if approved, will be funded from Integrated Transport Budget (ITB).

Recommendations:

Cabinet Member for City Services is recommended to:

1. Consider the objections to the Traffic Regulation Order
2. Subject to recommendation 1 above, approve the implementation of the revocation Traffic Regulation Order as advertised - City of Coventry (Lockhurst Lane and Foleshill Road)(Bus Lane Revocation) Order 2017.

List of Appendices included:

Appendix A – Atkins Study Area Plan

Appendix B – Plan of sections of bus lane to be revoked on Foleshill Road and Lockhurst Lane

Appendix C – Summary of Objections

Background papers

None

Other useful documents:

Bus Lane Review Report - Cabinet 29th November 2016

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report – Objections to Traffic Regulation Order – Proposed Revocation of Section of Bus Lane on Lockhurst Lane and Foleshill Road.

1. Context (or background)

- 1.1 In Coventry over the last 15 years there has been a 20% increase in traffic on the City's road network. This increase is also reflected at a national level with annual motor vehicle traffic being at its highest level ever in the year ending March 2017, with a 1.7% increase in traffic on the road network in a one year period. The Department for Transport explains the upward trend in traffic volumes is likely to be a result of growth in the UK economy, with GDP 1.9% higher in the year ending March 2017 than in the previous year. Locally, Coventry is one of the fastest growing cities with an expanding economy, which is also putting pressure on the road network.
- 1.2 Further evidence of increasing problems on local roads was provided through the Inrix study for the Sunday Times. This showed congestion in Coventry to be rising faster than almost anywhere else; this is partly a product of roadworks such as those undertaken at Toll Bar, but is also due to the growth of the city and its economy. The Traffic Management Act 2004 requires the Council to secure the expeditious movement of traffic on the authority's road network.
- 1.3 A further concern associated with high levels of traffic and congestion is the impact this has on air quality. The Environment Act 1995 made local authorities responsible for assessing air quality in their area. In July 2017 Defra announced that Coventry is one of the cities that has to produce an Air Quality Action Plan (AQAP).
- 1.4 To help address these concerns, in June 2016 Atkins Ltd were commissioned to undertake junction capacity modelling, to determine the impact of the removal of bus lanes along Foleshill Road and Lockhurst Lane. Two options were considered by Atkins Ltd:

Option 1 - All bus lanes/gates removed with no other changes to the road layout

Option 2 - All bus lanes/gates removed with two continuous lanes inbound and one lane outbound
- 1.5 The results of the modelling showed that Option 1 is not recommended as it shows an overall increase in journey times for inbound bus journeys across the peak hours. However, Option 2 showed an overall improvement in average journey times for general traffic and buses.
- 1.6 Due to the results of the modelling it was decided to remove most of the bus lane. The TRO to enable the revocation was advertised on 10th August 2017, advising that any formal objections should be made in writing by 31st August 2017. Two (2) objections were received.
- 1.7 There are costs associated with implementing this TRO (and hence removing the bus lane). These are estimated at approximately £322k.

2. Options considered and recommended proposal

- 2.1 Two (2) objections were received. The objections are summarised in Appendix C to the report. Full objection details can be provided on request.
- 2.2 In considering the objections received, the options are to:
 - i. Make the order for the proposal as advertised
 - ii. Not to make the order relating to the proposal

- 2.3 Option (ii) not to make the order (do nothing) is not recommended given the duty to ensure the expeditious movement of traffic under the Traffic Management Act and the need to address air quality issues.
- 2.4 Option (i), to make the order as advertised, is the recommended proposal. This will result in the removal of the sections of bus lane, as detailed in Appendix B, together with the creation of two lanes for inbound traffic and one lane for outbound traffic.

3. Results of consultation undertaken

The proposed TRO for the revocation of sections of bus lane on Foleshill Road and Lockhurst Lane (as shown in Appendix B to the report) was advertised in the Coventry Telegraph on 10th August 2017; notices were also placed on street in the vicinity of the proposals. The responses received were two (2) objections, Appendix C to the report details the objections received.

4. Timetable for implementing this decision

- 4.1 Subject to approval, it is proposed to make the Traffic Regulation Order permanent on 29th September 2017; associated works would commence on 4th October 2017.

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

The cost of implementing the advertised TRO, if approved, will be funded from Highways and Transportation ITB funds (Integrated Transport Budget). The cost is estimated to be £322,000

5.2 Legal implications

The recommendations in this report and all subsequent actions can be undertaken using the Council's statutory powers as the Highway Authority. The Council has a statutory obligation under the Traffic Management Act 2004 (Section 16(1)), and specifically through the Network Management Duty that is placed upon it to ensure the following objectives:

- (a) Securing the expeditious movement of traffic on the authority's road network; and,
- (b) Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

The Road Traffic Regulation Act 1984 allows the Council to make a TRO on various grounds e.g. improving safety, improving traffic flow and preserving or improving the amenities of an area provided it has given due consideration to the effect of such an order.

In accordance with Section 122 of the Road Traffic Regulation Act 1984, when considering whether it would be expedient to make a traffic order the Council is under a duty to have regard to and balance various potentially conflicting factors e.g. the convenient and safe movement of traffic (including pedestrians), adequate parking, improving or preserving local amenity, air quality and/or public transport provision

The 1984 Act provides that once a Traffic Order has been made it may only be challenged further via the High Court on a point of law (i.e. that the Order does not comply with the Act or regulations for some reason).

The Council has a duty under section 82 of the Environment Act 1995 to keep air quality within their area under review.

6. Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

It is considered that the proposals will generally assist to secure the safer movement of vehicular and pedestrian traffic and will contribute to the City Council's aims of ensuring that citizens are safe and the objective of working for better pavements, streets and roads.

Improving the environment and tackling climate change, by reducing the overall amount of delay on the transport network. The permanent removal of bus lanes on Foleshill Road and Lockhurst Lane should lead to an improvement in traffic flows and relieve congestion along Foleshill Road. A reduction in congestion levels, and the free flow of traffic on the City's highway network, can only have a positive impact on air quality.

6.2 How is risk being managed?

None

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

No equality impact assessments have been undertaken. However, it is not expected that implementation of this proposal will have any adverse impact.

6.5 Implications for (or impact on) the environment

The (anticipated) reduced levels of congestion along Foleshill Road routes should result in improvements to air quality

6.6 Implications for partner organisations?

6.1 It is recognised that the bus operators providing bus services in Coventry will be impacted by the revocation of bus lanes on Foleshill Road and Lockhurst Lane.

6.2 Transport for West Midlands and Bus Operators are being consulted and have expressed no objections

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Appendix A – Plan of Study Area (Atkins)

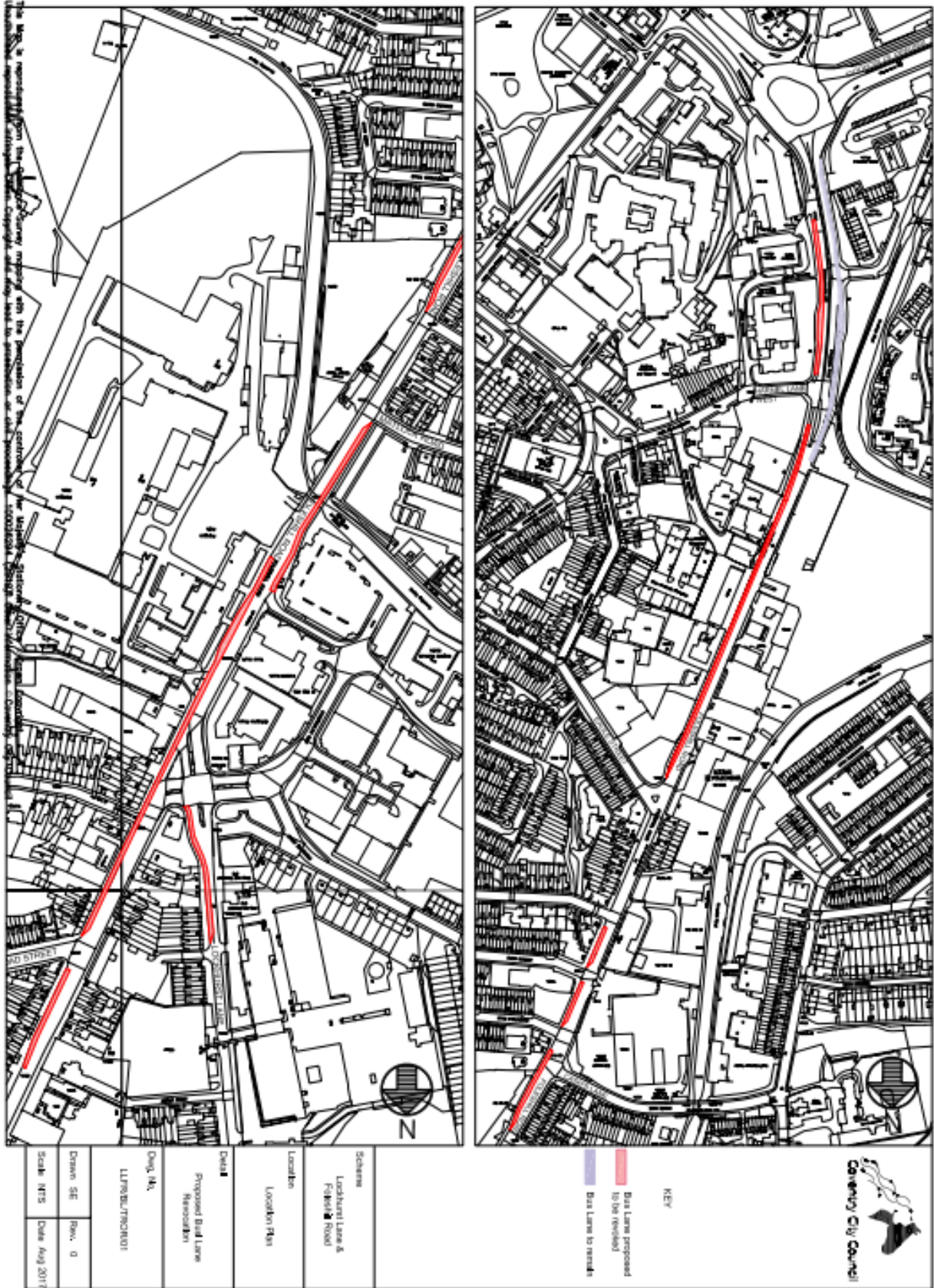
Figure 1 – Study Area



Figure 2 – Bus Lane Priority Measures



Appendix B – Plan of Bus Lanes to be Revoked on Foleshill Road and Lockhurst Road



Appendix B – Summary of Objection

Objection No	Summary of Objection	Comments
1	<p>The council is at fault in failing to consider the Strategic Transport Plan when making the order.</p> <p>In deciding to remove the bus lanes the council has failed in its duty to take into consideration its other policies and those in the local transport plan</p>	<p>Traffic modelling has been undertaken by Atkins Ltd for the Foleshill Road corridors and the creation of two continuous inbound lanes. The modelling results show that removal of the existing bus lanes, which are not continuous, will be beneficial to all vehicles including buses.</p> <p>The LTP is built on strategic principles, including Smarter Management – making the best use of our assets. It advises ‘we have to make better use of existing capacity for all modes and users’. The existing bus lanes are not continuous or wide enough to safely accommodate buses and cyclists thereby forcing buses and cyclist to merge with existing road traffic. The removal of the bus lanes mitigates this problem by allowing buses and cyclists to jointly use the new carriageway layout and eliminate merging issues at the end of the bus lane. Introduction of adaptive control methodology at the existing junctions will improve the efficiency of the junctions and facilitate safe cycle and pedestrian movements. This follows Traffic Management Act (TMA)2004 guidance that “measures to secure the expeditious movement of traffic should always be safe for all road users, particularly pedestrians, cyclists and motorcyclists”.</p> <p>Additionally, whilst TMA 2004 Guidance acknowledges the desire to make cycling and walking more attractive and the encouragement of public transport through, amongst other measures, bus priority and quality initiatives, these measures should not be seen as being in conflict with the principles of the duty. It is for the LTA to decide on the most appropriate approach for managing demand on their network. Improvements to traffic signal junction efficiency on Foleshill Rd also includes, where possible, the introduction of bus priority measures at each junction. The aim is to provide efficient progression for buses through the junction based on either provision of an extension to green period for an approaching bus or, providing a stage call for a bus approaching a red signal. The refurbished traffic signals on Foleshill Road will include enhanced crossing facilities.</p>
	<p>It [the Council] has also failed to “consult with residents when deciding which policies on network management to adopt”</p>	<p>The objection period for the advertised TRO allows everyone to voice their views, make comments and/or object to these proposals.</p>

<p>The council was at fault in failing to consider the existing evidence base before deciding to conduct an evidence based trial. This evidence base runs contrary to the council's assumptions</p>	<p>The proposals have been developed based on the traffic modelling referred to earlier. This shows implementing the recommended option is the correct way forward in tackling congestion on Foleshill Road. The outcome to date of the phase 1 bus lane trial have also been considered along with case studies from elsewhere in the UK.</p>
<p>The council have failed to fully consider the outcomes of the Liverpool bus lane trial. Particularly in relation to parking and cyclists</p>	<p>The Council has considered the outcomes of Liverpool bus lane trial. The Council undertook traffic modelling before making a decision to remove Foleshill Road bus lanes. The existing bus lanes on Foleshill Road are not wide enough to safely accommodate cyclist and buses travelling alongside. Parking provision on an arterial route is not a priority as The Traffic Management Act 2004 requires the Council to secure the expeditious movement of traffic on the authority's road network. However, where possible, the Council will be putting measures in place to provide a replacement parking facility such as between Eagle Street and George Elliot Road.</p>
<p>While a discussion on bus usage was held at the November meeting, no mention was made of the Bus Lane review/removal project. The Council has therefore failed to submit their proposals to the level of scrutiny which the scrutiny board requested</p>	<p>At the Cabinet meeting of 29th November 2016, a report regarding the Bus Lane Review was considered and the recommendations to commence the review approved. The Council is working on this review with (TfWM) and the bus operators. The Bus Lane Review report is in the public domain.</p>
<p>The bus lane removal is therefore contrary to the councils existing policy on Air Quality</p>	<p>In July 2017 Defra announced that Coventry has to produce an Air Quality Action Plan (AQAP). The proposals on Foleshill Road will form part of the mitigation measures towards this AQAP by reducing queueing traffic and minimising stop start conditions that makes a positive contribution to Air Quality Management.</p>
<p>In relation to Rapid Transit, the Council is at fault in failing to consider its long-term transport strategy when making the orders</p>	<p>An innovative research & development programme is underway with WMG (Warwickshire Manufacturing Group) to develop a new generation of 'Rapid Transit'. Until the nature of this new generation of Rapid Transit is developed and routes identified, it is not appropriate to delay important measures like these to address congestion and Air Quality.</p>

	The council failed to consider the safety of cyclists and pedestrians when making the order	The existing bus lanes are not continuous or wide enough to safely accommodate buses and cyclists thereby forcing buses and cyclist to merge with existing road traffic. The removal of the bus lanes mitigates this problem by allowing buses and cyclists to jointly use the new carriageway layout and eliminate merging issues at the end of the bus lane. Pedestrian access is taken care of via the upgrade of the existing signal junction pedestrian facilities along Foleshill Rd.
	The bus lane removal program is at odds with the governments cycling and walking investment strategy as it removes a cycling facility (bus lane) and fails to provide a replacement to an equivalent or higher standard	The existing bus lanes are not continuous or wide enough to safely accommodate buses and cyclists thereby forcing buses and cyclist to merge with existing road traffic. The removal of the bus lanes mitigates this problem by allowing buses and cyclists to jointly use the new carriageway layout and eliminate merging issues at the end of the bus lane. Whilst the Traffic Management Act 2004 Guidance acknowledges the desire to make cycling and walking more attractive and the encouragement of public transport through, amongst other measures, bus priority and quality initiatives these measures should not be seen as being in conflict with the principles of the duty and it is for the LTA to decide on the most appropriate approach for managing demand on their network.
	The proposed TRO is flawed as the bus lanes reduce private car usage while having no impact on overall traffic capacity of the Foleshill Road and Lockhurst Lane	In considering the options for improving traffic flow on Foleshill Rd the Council has taken a holistic approach to meeting its network management duty and must consider all road users including freight and commercial vehicles as well as the private car. The modelling results show that removal of the existing bus lanes, which are not continuous, will be beneficial to all vehicles including buses.
	At the very least the proposed TRO should be introduced as an experimental TRO so that the changes can be fully assessed before they are made permanent	To implement the recommended option of one lane outbound and two lanes inbound, changes to the existing carriageway layout needs to be undertaken. The changes have been fully modelled. However, once the scheme has been implemented, it will be monitored.
2	the idea of removing bus lanes is ill thought.	Traffic modelling has been undertaken by Atkins Ltd for the Foleshill Road corridors and the results show that removing the existing bus lanes are beneficial to all vehicles including buses.
	everything must be done to ease the flow of public transport, even if that compromises the flow of private cars	The modelling shows that removal of bus lanes on Foleshill road/Lockhurst Lane will benefit buses and contribute to journey time reliability and bus punctuality.

<p>One of the primary purposes of your committee should be to reduce the number of cars on the road, not make 'life' easier for them</p>	<p>The Traffic Management Act 2004 requires the Council to secure the expeditious movement of traffic on the authority's road network. Putting measures in place to help reduce congestion allows the Council to fulfil its Traffic Manager's role.</p>
<p>air pollution and global warming</p>	<p>Putting measures in place to help reduce congestion will help air pollution in the City. The measures proposed for Foleshill Rd will reduce queuing traffic and stop/start conditions that will make a positive contribution to AQM (Air Quality Management).</p>
<p>everything should be done to increase and improve safety and ease of travel for cyclists</p>	<p>The existing bus lanes are not continuous or wide enough to safely accommodate buses and cyclists thereby forcing buses and cyclist to merge with existing road traffic. The removal of the bus lanes mitigates this problem by allowing buses and cyclists to jointly use the new carriageway layout and eliminate merging issues at the end of the bus lane.</p>