

Cabinet Member for City Services

4th June 2018

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:

Westwood, Earlsdon, Foleshill, Cheylesmore, Binley & Willenhall, Lower Stoke, Upper Stoke, Wyken, Holbrook's, Whoberley, St Michael's, Sherbourne and Radford

Title:

Report – Objections to Experimental Traffic Regulation Order – Bus Lane Review Phase 1

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, the Council proposed to review the operation of all of its bus lanes to effectively fulfil its statutory duties under this Act. It was proposed that an evidence based trial would be carried out within Phase 1 containing about 2.6km of bus lanes in the City.

On 5th January 2017, an Experimental Traffic Regulation Order (ETRO) to suspend the Phase 1 bus lanes was advertised and on 13th January 2017, the advertised bus lanes were suspended. Further ETRO for additional short length of bus lane on Foleshill Road (inbound between its junction with King Georges Avenue and Old Church Road) was included in Phase 1 of the Bus Lane Review and this ETRO came into effect on 20th January 2017. Three (3) objections were received.

In accordance with the Cabinet report approved on 29th November 2016 and the City Council's procedure for dealing with objections to ETRO's, they are reported to the Cabinet Member for City Services for a decision as to how to proceed. The first ETRO is due to expire on 12 July 2018 and the second ETRO is due to expire on 19th July 2018.

Recommendations:

Cabinet Member for City Services is recommended to:

1. Consider the objections received to the making permanent of the Phase 1 of the Experimental Traffic Regulation Order.
2. Subject to recommendation 1 above, approve the making permanent of the Experimental Traffic Regulation Order thereby permanently removing the bus lanes in phase 1.

List of Appendices included:

Appendix A – List of bus lanes for trial suspension
Appendix B – Phase 1 Trial Bus Lane Suspension Plan
Appendix C – Summary of objections
Appendix D – Bus Lane Review Phase 1 Summary Review

Background Papers

None

Other useful documents:

Cabinet 29th November 2016 - Bus Lane Review Report
modern.gov.coventry.gov.uk

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 title: Objections to Experimental Traffic Regulation Order – Bus Lane Review Phase 1

1. 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 by the INRIX annual Global Traffic Scorecard that was also published in the Sunday Times. This showed congestion in Coventry, during 2016, 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. Additionally, the Traffic Management Act 2004 places a statutory undertaking on 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, Coventry City Council embarked on a review of all of its bus lanes. Data from other local authorities who had suspended bus lanes suggested that there were potential benefits to traffic flow with minimal impact on buses. Following consultation with bus operators and TfWM, the first Phase of suspension took place in January 2017. Data collection commenced from March 2017 following the completion of physical infrastructure changes that were under taken during January and February 2017.
- 1.5 The review looked at the journey time data for buses and all other vehicles between March 2017 and March 2018 that has been collected and evaluated against pre-trial suspension journey time data. To ensure a robust evidence base data collection, the City Council purchased journey time data from INRIX. This permitted journey time comparisons with comparable months in previous years. Analysis is taken over the following periods: AM Peak: 07:30 – 09:30; Off Peak: 09:30 – 15:30; PM Peak: 15:30 – 19:00. In the monthly reports each period is broken down into Journey Time Periods (each of 30 minutes duration) that reflect the average changes in journey times for buses and all vehicles.
- 1.6 To allow a comparison of bus journey times, National Express have provided their data for 2016 and 2017. The 2017-2018 data has been collected using the same system.
- 1.7 During the trial period Bus Selected Vehicle Detection (SVD) priorities and improvements have been provided at 10 traffic signal junctions located in the sections of suspended bus lanes. This technology is designed to deliver efficient progression for buses through the junctions that provides either:
 - An extension to the current green period for an approaching bus
 - A Stage call for a bus approaching a red signal

- 1.8 As part of this process each junction has also been subject to a validation process to ensure the signals are operating efficiently. Journey time graphs have been generated for each section of suspended bus lanes. The data comprises all vehicle journey times derived from INRIX data and bus journey time derived from the VIX ACIS RTP1 system operated by National Express West Midlands. For comparison purposes the data is presented for the current month and the same month the previous year to provide a before and after data comparison. A map of the route section is also provided for reference in each monthly report.
- 1.9 After collecting this comparable data over a twelve month period (March 2017 to March 2018) and reviewing this data on a monthly basis, further consultation with Transport for West Midlands and the bus operators was undertaken and agreed that Phase 1 ETRO is made permanent. It was also agreed that Coventry City Council and Transport for West Midlands will work together to help promote and improve public transport in the City.

2. Options considered and recommended proposal

- 2.1 Three (3) 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 Phase 1 ETRO order permanent as advertised
 - ii. not to make the Phase 1 ETRO order permanent relating to the proposal
- 2.3 Option (i), to make the Phase 1 ETRO order permanent as advertised, is the recommended proposal. This will result in the removal of the sections of bus lane, as listed in Appendix A to the report.
- 2.4 Option (ii) not to make the Phase 1 ETRO 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.

3. Results of consultation undertaken

The proposed ETRO for the suspension of the bus lanes, listed in Appendix A to the report, was advertised in the Coventry Telegraph on 5th and 12th January 2017; notices were also placed on street in the vicinity of the proposals. The responses received were 3 objections during the 6 months objection period. 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 Phase 1 ETRO permanent on 12th and 19th July 2018 and any 'suspension signs' associated with this ETRO to be removed.

5. Comments from the Director of Finance and Corporate Services

- 5.1 Financial implications

There is no further cost of making the ETRO permanent except the advertisement. This will be funded from the remaining funds from this project. The cost is estimated to be £3k.

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 an ETRO 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 to monitor and allow members of public to object over a six-month period.

In accordance with Section 122 of the Road Traffic Regulation Act 1984, when considering whether it would be expedient to make an Experimental 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 an Experimental Traffic Order has been made permanent, the permanent TRO can 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 in Phase 1 should lead to an improvement in traffic flows and relieve congestion. 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 listed bus lane routes will result in improvements to air quality.

6.6 Implications for partner organisations?

6.6.1 No objections have been received from the bus operators and the summarised report in Appendix D to the report demonstrates through data collected evidence that making the Phase 1 ETRO permanent does not adversely have an impact on bus operations on the listed routes in Appendix A to the report.

6.6.2 Transport for West Midlands and Bus Operators have been consulted and have expressed no objections to making the Phase 1 ETRO permanent.

Report author(s)

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Place

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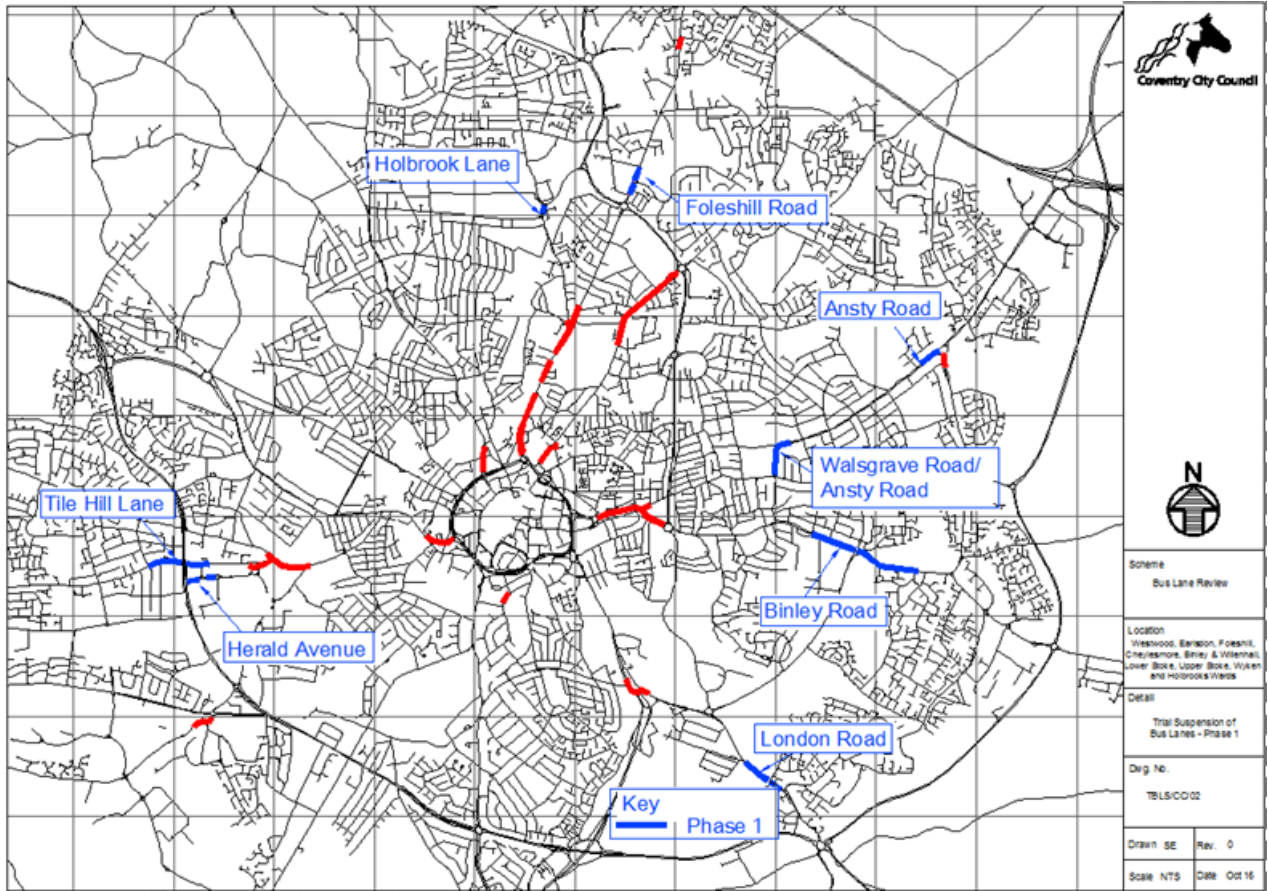
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Colin Knight	Director (Planning, Transport and Highways)	Place	17.04.18	18.04.18
Colin Whitehouse	Acting Head of Traffic and Network Management	Place	17.04.18	23.04.18
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Michelle Salmon	Governance Services Officer	Place	27.04.18	30.04.18
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Graham Clark	Lead Accountant	Place	17.04.18	20.04.18
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Rob Parkes	Place Team Leader, Legal Services	Place	17.04.18	17.04.18
Councillor J Innes	Cabinet Member for City Services	-	23.04.18	26.04.18

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Appendix A: List of Bus Lanes for Trial Suspension

Bus Lanes to be Removed/Suspended			
Road/Area	Length (m)	No of Signals Affected	Comments
Ansty Road outbound at Clifford Bridge Road	115	1	
Ansty Rd inbound at Burns Rd	332	2	
Binley Road	885	4	
Foleshill Road/Old Church Road (inbound 25m and outbound 165m)	195	1	Permanently removed in September 2017
Holbrook Lane outbound	50	0	
London Road outbound St James Lane	240	1	
Tile Hill Gyratory	695	4	
Foleshill Road (inbound between its junction with King Georges Avenue and Old Church Road)	135		
	2,647	13	

Appendix B – Phase 1 Trial Bus Lane Suspension



Scheme
Bus Lane Review

Location
Westwood, Edington, Foleshill, Cheshamore, Binley & Welton, Lower Stoke, Upper Stoke, Wivenhoe and Holbrook/Wids

Detail
Trial Suspension of Bus Lanes - Phase 1

Dirg No.
TBLSC002

Drawn SE Rev. 0

Scale NTS Date Oct 16

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Appendix C – Summary of Objections

Objection No	Summary of Objection	Comments
1	The council is at fault in failing to consider the Strategic Transport Plan when making the order.	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”.
	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. It has also failed to consider the needs to “make walking and cycling safer”. It has also failed to “consult with residents when deciding which policies on network management to adopt.	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”. 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 the Phase 1 advertised routes also includes, the introduction of bus priority measures at each junction.

		<p>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.</p>
	<p>There is extensive evidence that bus lanes both improve the speed and reliability of bus services. In doing so also reduce congestion and improve air quality. List of 8 publications have been provided followed by; 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 provided 8 publication list varies between 1997 and 2016. 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". 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. On all the Phase 1 bus lane suspension routes, bus priority measures in the form of selected vehicle detection (SVD) has been installed on signals within this phase.</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 ETRO 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 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. Phase 1 suspension has been trailed on an experimental traffic regulation order and the permanency of this order will be based on evidence collected over a 12 month period.</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 1 bus lanes routes listed in Phase are not wide enough to safely accommodate cyclist and buses travelling alongside. Parking provision on any 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.</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 Transport for West Midlands (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 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>

	<p>The council failed to consider the safety of cyclists and pedestrians when making the order</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. Pedestrian access is taken care of via the upgrade of any existing signal junctions in the Phase 1 routes.</p>
	<p>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</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. 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</p>
2	<p>Binley Road resident: informed that they were shocked at the increasing boldness of cars speeding up to get through the traffic lights. Not only has the noise level risen but it is increasingly difficult to come out of our drive with the car. That at the moment there isn't even a 30mile-hour reminder.</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. Putting measures in place to help reduce congestion will help air pollution in the City. However, following receipt of this objection, 2 vehicle activated signs (VAS) have been installed reminding drivers that this road is a 30mph and displaying the speed they are driving at.</p>
3	<p>The idea of removing bus lanes is ill thought.</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. 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.</p>

<p>Everything must be done to ease the flow of public transport, even if that compromises the flow of private cars</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. Putting measures in place to help reduce congestion will help air pollution in the City. 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.</p>
<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>In July 2017 Defra announced that Coventry has to produce an Air Quality Action Plan (AQAP). The proposals 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. Putting such measures in place to help reduce congestion will help air pollution in the City. These measures will reduce queueing 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. 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.</p>