
Cabinet Member for City Services

18 September 2024

Name of Cabinet Member:

Cabinet Member for City Services – Councillor P Hetherton

Director Approving Submission of the report:

Director of Innovation

Ward(s) affected:

City-wide

Title:

Report – Experimental Traffic Regulation Order (ETRO) Objection Report CCTMP Ph1B
– Hales Street Bus Gate

Is this a key decision?

No – although the outcome will have a city-wide impact, the implications are not expected to be significant.

Executive Summary:

The City Centre Traffic Management Plan (CCTMP) is a series of interventions designed to manage traffic in the city centre with an aim to reduce the amount of traffic circulating within the centre, thereby improving bus service reliability, improve air quality through reducing queuing traffic, promoting active travel, and facilitating the Coventry Very Light Rail (CVLR) City Centre Demonstrator track which will run from the railway station to the former Ikea building.

In July 2023 a bus gate was introduced on Hales Street with the aim of improving safety and traffic flows through the Hales Street, Trinity Street, Cross Cheaping, and the Burges area of the city centre by giving priority to pedestrians, public transport and cyclists.

This measure was designed to combat the high number of vehicles parking along the offside kerb on Burges. While this section of kerb is intended for deliveries, the increased volume of delivery traffic since the rise of online food delivery services means this kerb line suffered a greater use than what it was designed for. This led to buses being held up as they were unable to pass buses in front of them.

The bus gate restricts traffic other than buses, bicycles, hackney carriages and permit holders (which includes private hire vehicles) entering the area during Monday to Saturday between 10am & 6pm, which is when buses are busiest, due to predominantly serving outbound services.

All households and businesses within the area are able to apply for permits allowing access for their regular daily visitors (e.g. residents, workers, delivery drivers) and temporary permits for any visitors coming at short notice (i.e. unplanned deliveries, customers etc).

These measures were delivered under an Experimental Traffic Regulation Order (ETRO) (City of Coventry (Hales Street) (Bus Gate) (Experimental) Order 2023) and the statutory objection period concluded on 18 January 2024 (six months after the order was advertised). One (1) objection has been received to the ETRO as listed in Appendix B. In accordance with 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 ETRO is due to expire on 18 January 2025 (having been implemented for the maximum period of 18 months).

Recommendations:

The Cabinet Member for City Services is recommended to:

- 1) Consider the objection received to the City of Coventry (Hales Street) (Bus Gate) (Experimental) Order 2023.
- 2) Subject to recommendation 1) above, approve the making permanent of the City of Coventry (Hales Street) (Bus Gate) (Experimental) Order 2023.

List of Appendices included:

- Appendix A – Hale Street Bus Gate
- Appendix B – Details of objection and response.
- Appendix C - City Centre Changes Consultation Report
- Appendix D - Equality Impact Assessment

Background papers:

None

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: Experimental Traffic Regulation Order (ETRO) Objection Report CCTMP
Ph1B – Hales Street Bus Gate

1. Context (or background)

1.1 The CCTMP is being delivered in several phases as set out below:

Phase	Comment
1A	High Street Pedestrian Zone (complete)
1B	Hales Street Bus Gate (delivered – this report lists the objection received)
2A	Red route (separate report - approved)
2B	City Centre cycle route (separate report - approved)
3	Bus gates and traffic “zoning” (proposed)

- 1.2 This report considers measures to reduce traffic flow and kerbside loading in the Burges area. Of the city centre (Phase 1B).
- 1.3 Burges is accessible via Hales St and Trinity St. It acts as a self-contained loop with an integral one-way system, see Appendix A – Hale Street Bus Gate Plan.
- 1.4 Multiple bus stops are located on Trinity Street and these are well used as the main location within the city centre for people to access bus services to and from the northern half of the city. National Express and Stagecoach bus services use the stops, with some services laying over for several minutes. Trinity Street also has a parking lay-by with dedicated spaces for disabled parking and for servicing for businesses. The Hales Street-Trinity Street-Burges loop also features an array of food establishments, student housing, clothing shops, bookmakers and public houses all of which require access for servicing.
- 1.5 Due to the nexus of public transport, taxis, delivery drivers and private motor vehicles plus the nature of the streets’ businesses, the Burges area was becoming an area of high traffic congestion and antisocial behaviour. Access to the area by Police services and Council enforcement was further hindered by congestion, exacerbating the issues.
- 1.6 Following strategic review of the area, it was concluded in January 2023 that an additional bus gate at the Hales Street/Bishop Street/Corporation Street/Burges crossroads would be introduced to limit access to the loop to essential visitors only, with the aim of reducing congestion, improving reliability of bus services, and improving the environment for pedestrians, bus passengers and cyclists.
- 1.7 One objection has been received to the ETRO. All other issues have been dealt with on a case-by-case basis by the most appropriate department and direct with each affected complainant.
- 1.8 Following further public engagement, an ETRO was subsequently introduced on the 18 July 2023. This Order introduced a restriction between 10am and 6pm Monday to Saturday and applied to all motor vehicles except for buses, Hackney and private hire taxis and permit holders.

- 1.9 A six-month objection period commenced on the 18 July 2023. During this period one formal objection was received, which is summarised in Appendix B to the report. In addition, correspondence has been received from stakeholders including businesses about the operation of the new restriction. These have been dealt with on a case-by-case basis by the most appropriate department and direct with each affected party as matters arise.
- 1.10 Predominately the feedback received to the proposal focused on system operational issues which resulted in several Penalty Charge Notices (PCN) being issued to businesses and their suppliers who had or were eligible for a permit. Whilst in each instance the PCN was promptly investigated and cancelled, this initial system error generated feedback and frustration from some business owners as they adjusted to the new restriction and permit system.
- 1.11 These initial challenges have now largely been overcome and the scheme is operating effectively, as intended with the team continuing to actively work with local businesses where issues arise.

2. Options considered and recommended proposal

2.1. The Options considered in response to the objection are:

- i) Make the ETRO permanent
- ii) reduce or amend the restrictions to enable greater use of the area by traffic, better use of the system by affected residents and businesses. Include more obvious signage and road lining to indicate the presence of the bus gate and provide additional loading or parking bays in the Burges area where possible.
- iii) remove the bus gate and not make the ETRO permanent.

2.2 The recommended proposal is to make the ETRO permanent.

2.3 Option (iii) has been discounted as it would not address the original traffic management and antisocial behavioural concerns identified in and around Burges, which necessitated the original scheme.

2.4 Option (i) and (ii); despite the initial challenges at the introduction of the scheme, the restriction as made is considered to be having the desired effect, as it has largely removed private vehicle use in this area and in so doing reduced congestion and disruption to public transport and commercial operations and deliveries. The introduction of an amended or reduced restriction is unlikely to have the same level of impact as the current restriction, whilst past experience from locations across the city demonstrate that whilst improved signage and lining can have a positive influence on driver behaviour, on its own it is unlikely to result in the level of driver compliance sought. It is for these reasons that Option (i), making the ETRO permanent, is recommended.

3 Results of consultation undertaken

A Street News newsletter was delivered to over 6,000 properties in and around the city centre via Royal Mail. This contained information about the CCTMP and included a link to the Council's Let Talk online page where people could complete a survey to tell us what they thought (see Appendix B to the report).

Throughout the consultation period of 27 November to 17 December 2023 a survey was available on the Council's Let talk website so people could tell us what they thought.

The majority of comments received were in favour of the implementation of the Red Route The individual responses can be seen in Appendix B to the report.

The ETRO, to introduce the bus gate on Hale Street was advertised on 6 July 2023, becoming operational on 19 July 2023. One objection to the ETRO has been received, as outlined in Appendix B to the report.

4 Timetable for implementing this decision

- 4.1 Subject to consideration of the objection to the ETRO, if it is to be made operational, this must be completed before 18 January 2025 or the ETRO will dissolve.

5 Comments from the Director of Finance and Resources and the Director of Law and Governance

5.1 Financial implications

- 5.1.1 On the 11 December 2023, a governance and assurance process for the Very Light Rail Regional Programme (VLRPP) was tabled, together with evidence of CVLR Stage Gate 1 outputs, at DfT's Investment Portfolio Delivery Committee (IPDC).
- 5.1.2 IPDC approved the stage gate process and approved the release of Stage Gate 2 funding, which is a further £6.1m of City Region Sustainable Transport Settlement (CRSTS) capital grant.
- 5.1.3 The cost of making the ETRO permanent will be in the region of £10k and will be funded from the approved £6.1m funding envelope.
- 5.1.4 Revenue from any fines levied for contravening the bus gate will be used to offset enforcement costs with any surplus being used solely for transport purposes in accordance with statutory requirements.
- 5.1.5 Future maintenance costs related to the signing and lining required for the scheme will be met from the core Highway Maintenance budget.

5.2 Legal implications

- 5.2.1 The Road Traffic Regulation Act 1984 allows the Council to make Experimental Traffic Regulation Orders (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.
- 5.2.2 For an ETRO, the legal order is advertised, made and brought into force to coincide with the restrictions being implemented on site straight away. An ETRO can only be in force for up to 18 months. The first six months are for the public to comment on the restriction being implemented through the Order. The Local Authority then reviews all comments and has to reach a decision on whether to make the ETRO

permanent, to make any amendments to the original scheme to reflect comments received, or whether to let the ETRO lapse and remove the restrictions.

- 5.2.3 In accordance with Section 122 of the Road Traffic Regulation Act 1984, when considering whether it would be expedient to make an ETRO 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.
- 5.2.4 The 1984 Act provides that once an ETRO has been made permanent, 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 for some reason).

6 Other implications

6.1 How will this contribute to achievement of the Council Plan?

<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>

It is considered that the proposals support the Council Plan objective to create an attractive, greener city by making it easier for people to travel around the city on foot, on cycle or using public transport, thereby reducing vehicle emissions, improving the environment, tackling climate change, and supporting the delivery of the Local Air Quality Action Plan for Coventry. This plan will also act as a key enabler for CVLR and make Coventry a pioneering city in green, mass transit, rail-based transport. The proposal will also help the city achieve its economic objectives by making the city centre more attractive

6.2 How is risk being managed?

Risk is being managed through the project governance, with regular reviews conducted by the project team, including the CVLR Management Team and the Capital Programme Board.

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

A full EIA has been produced for Phase 1 of the project (Appendix C to the report).

6.5 Implications for (or impact on) climate change and the environment

The Hale Street Bus Gate has significantly improved bus journey times, particularly during the day when the bus gate is operational. Transport for West Midlands (TfWM) have monitored the performance of bus services NX X1 & 21 before and after the bus gate opened, and the analysis indicates journey time savings for these bus services of around a minute for the X1 and just below a minute for the 21. This improvement will support the objective of making bus travel a more attractive and competitive option, and will encourage modal shift from other modes, thereby helping meet climate change objectives by achieving greater travel by more sustainable

modes. The tables below show the journey time savings achieved through the introduction of the bus gate.

Table 1 shows the X1 service between Pool Meadow and Belgrade Theatre. It can be seen that the journey time (JT) savings of over a minute during the Feb comparison during the time the bus gate is in use, whereas outside of this time, just slight changes.

		2023	2024	Diff
February	7.30am to 9.30am	00:03:52	00:03:30	00:00:22
	9.30am to 3pm	00:05:21	00:03:47	00:01:33
	3pm to 6.30pm	00:05:31	00:04:13	00:01:18
	6.30pm to 12am	00:04:06	00:03:30	00:00:35
Jun	7.30am to 9.30am	00:03:41	00:03:31	00:00:10
	9.30am to 3pm	00:04:16	00:03:56	00:00:20
	3pm to 6.30pm	00:04:55	00:04:15	00:00:40
	6.30pm to 12am	00:03:28	00:03:32	-00:00:04

Table 2 shows the 21 service comparison, Swanswell Pool to St John's Church, again showing JT savings 10am-6pm, whereas outside of these times some JT increases.

		JT 2023	JT 2024	Difference
February	7.30am to 9.30am	00:05:49	00:06:51	-00:01:03
	9.30am to 3pm	00:06:37	00:06:20	00:00:17
	3pm to 6.30pm	00:05:52	00:05:07	00:00:45
	6.30pm to 12am	00:07:21	00:07:44	-00:00:23
June	7.30am to 9.30am	00:06:47	00:06:28	00:00:19
	9.30am to 3pm	00:07:15	00:06:28	00:00:47
	3pm to 6.30pm	00:06:20	00:05:23	00:00:57
	6.30pm to 12am	00:07:42	00:07:29	00:00:13

6.6 **Implications for partner organisations?**

Improved bus journey times and service reliability will lead to a potential reduction in requirement for TfWM revenue support for bus services as fewer buses will be required to maintain the same level of service.

Report author

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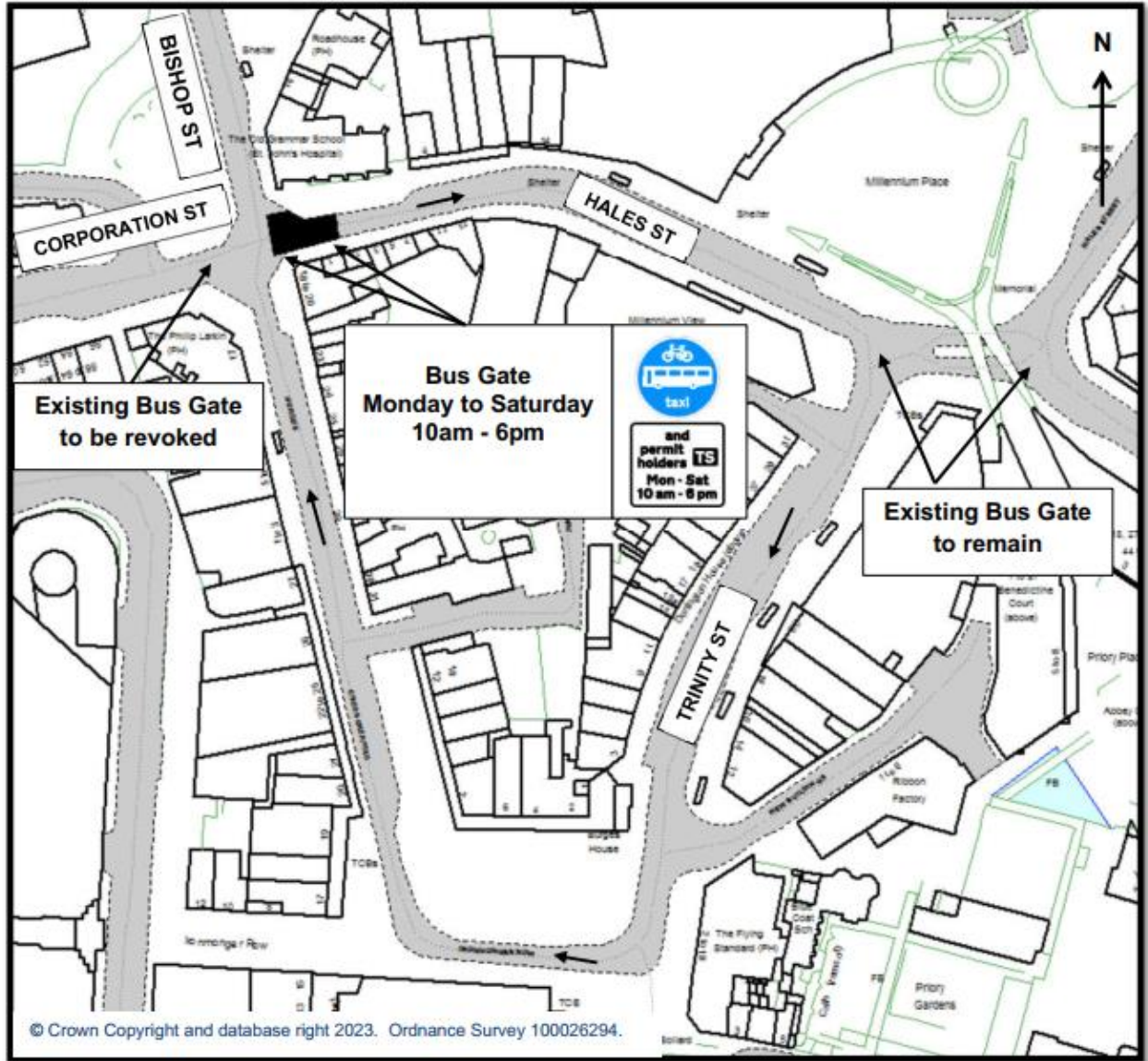
Enquiries should be directed to the above person.

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Caron Archer	Senior Engineer	City Services and Commercial	10.7.2024	9.8.2024
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This report is published on the council's website: www.coventry.gov.uk/council-meetings

Appendix A – Hale Street Bus Gate

**Location Plan – Experimental Traffic Regulation Orders
Hales Street Bus Gate Installation & Corporation Street Bus Gate Revocation**



Appendix B – Please see attached document

<u>Objection No</u>	<u>Summary of Objection</u>	<u>Response</u>
<p><u>1</u></p>	<p>Objection received via email from business owner on 4 Jan 24 at 11:59:</p> <p>1. Despite having used the TS zone parking permits every single time, every single delivery vehicle (and my own vehicles) have received countless bus lane fines.</p> <p>a. I have spent way too much time appealing these and all of them have been overturned.</p> <p>b. However, the companies we do business with don't have the time for all these appeals and they are simply refusing to deliver goods to our business now. This is extremely damaging to our business.</p> <p>c. We also have tradespeople refusing to attend our business premises for electrical / other works when needed because of these restrictions.</p> <p>d. I was once told by the parking team that there was an issue with the system recognising vehicles who had registered vouchers, which is why fines were issued. However nothing has been done about this for many months.</p> <p>2. Customers would like the flexibility of parking near to our businesses so that they do not have to carry heavy shopping bags for long distances. Since the introduction of the scheme, businesses on Trinity Street have noticed reduced footfall and have heard from customers</p>	<p>It is acknowledged that initially there were some operational and technical issues with the permit system following the introduction of the bus gate.</p> <p>Solutions have since been implemented including:</p> <ul style="list-style-type: none"> • Triaging individual instances where penalties were issued incorrectly, identifying the root cause and implementing measures to prevent recurrence. • the introduction of a 'grace period' that allows businesses to register vehicles for permits up to 72hours after a vehicle has accessed the restriction • additional system checks and balances to reconcile PCNs generated against the exemption list • provision of back-office support to assist residents and businesses with the permit registration process. <p>With these measures in place, it is considered that the issues raised in the objection have been resolved.</p>

that they would rather shop elsewhere where they can easily pick up their shopping in their car.

As you very well know, high street retail outlets have already been under pressure for some time now and this measure is only adding to it.

I sincerely hope that you can take the above points into consideration and reverse the decision to implement a bus gate on Hales Street for the benefit of the surrounding businesses.