

**TRAFFIC REGULATION ORDER OBJECTIONS ASSOCIATED WITH BUS
LANE ENFORCEMENT - CAMBRIDGE**

To: **Highways and Community Infrastructure Committee**

Meeting Date: **15th July 2014**

From: **John Onslow - Service Director: Infrastructure
Management & Operations**

*Electoral
division(s):* **West Chesterton, Abbey, Kings Hedges, Arbury,
Market, Trumpington, Coleridge**

Forward Plan ref: **N/A** *Key decision:* **No**

Purpose: **To determine objections received to the Traffic
Regulation Order (TRO) associated with Bus lane
Enforcement - Cambridge**

Recommendation: **a) Approve and make the Order as advertised
b) Inform the objectors accordingly**

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1. BACKGROUND

- 1.1** Being the fastest growing county in the country brings many benefits and opportunities to Cambridgeshire, but does also place demands and pressures on the county's transport network. This is particularly relevant in Cambridge, where the transport network often operates at or near capacity during peak times.
- 1.2** Evidence collected in Cambridgeshire has demonstrated significant levels of contravention of certain bus lanes. Other areas already using camera enforcement have shown substantial reductions in bus lane abuse, with clear benefits for approved vehicles such as buses and cycles.
- 1.3** Enforcement powers have been taken up by twenty eight other authorities in the country. A Transport for London Study has shown that routine enforcement of bus lanes can result in a fifteen percent reduction in delays to buses as a result of an eighty five percent improvement in compliance levels.
- 1.4** In November 2013 Cabinet agreed to the introduction of civil enforcement of bus lane and bus gate contraventions. (The proposal covers the following roads - Newmarket Road, Elizabeth Way, Milton Road, Victoria Avenue, Madingley Road, Shelford Road, Trumpington Road, Hills Road and St Andrews Street.)
- 1.5** As part of the introduction of civil enforcement of bus lanes, all TRO's for bus lanes within Cambridge City need to be revoked and included within one new TRO. This allows the use of camera devices and the issuing of penalty charges for any contravention of the bus lane order. It will not affect the use of the lanes by approved vehicles (buses, pedal cycles & taxis, both Hackney & private hire), these remain unchanged.
- 1.6** When viewing footage, the trained Civil Enforcement Officers and the guidance they work to will specify that taking avoiding action will not result in a Penalty Charge Notice being issued as long as motorists leave the bus lane as soon as the obstacle is passed.
- 1.7** A review of the existing bus lane layouts, signs and carriageway markings was required to ensure compliance with the relevant regulations. This review highlighted the need for some minor alterations to the bus lane signs and markings, alterations that were required, regardless of the introduction of civil enforcement of bus lanes.

2. TRO PROCESS

- 2.1** The TRO procedure is a statutory consultation process that requires the Highway Authority to advertise, in the local press and on-street, a public notice stating the proposal and the reasons for it. The advert invites the public to formally support or object to the proposals in writing within a twenty one day notice period.

- 2.2** The TRO was advertised in the Cambridge News on 17th April 2014. The statutory consultation period ran from 17th April - 12th May 2014.
- 2.3** The statutory consultation resulted in six objections and one comment of support. Two objections, including one received from the Cambridge Cycling Campaign (CCC), have since been withdrawn following further discussion between a CCC representative and County Council officers. The Police have confirmed that they have no objection to the proposal. No comments were received from the other Emergency Services.
- 2.4** The responses received are detailed in **Appendix 1**.
- 2.5** Evidence collected in Cambridge has demonstrated significant levels of contravention of bus lanes. It has been shown by other local authorities already utilising camera enforcement that a substantial reduction in bus lane abuse, with clear benefits for approved vehicles such as buses and cycles has taken place since the introduction of civil enforcement. It is therefore recommended that this Order be made as advertised.

3. ALIGNMENT WITH CORPORATE PRIORITIES

- 3.1 Developing the local economy for the benefit of all**
Promoting the best possible use of the transport network in Cambridgeshire helps people to get around the county more effectively and efficiently, and in turn supports the development of the local economy.
- 3.2 Helping people live healthy and independent lives**
Improving the reliability and journey times of buses can make them a more suitable and attractive option to those who may not have access to a car and could otherwise suffer from isolation. Bus lanes are also used by cyclists, and reducing the number of vehicles wrongly using bus lanes could encourage more people to use them as cycle routes.
- 3.3 Supporting and protecting vulnerable people**
There are no significant implications for this priority.

4. SIGNIFICANT IMPLICATIONS

- 4.1 Resource Implications**
The necessary resources and funding to progress this project have been secured through the Better Bus Area Fund.
- 4.2 Statutory, Risk and Legal Implications**
The statutory process for this TRO has been followed. Should the objections not be determined by this Committee, it may be necessary to hold a public inquiry.

4.3 Equality and Diversity Implications

No significant implications have been identified as bus lanes are already in use and this report refers to the method of enforcement to ensure their correct use.

4.4 Engagement and Consultation Implications

This project forms part of the Better Bus Area Fund (BBAF) scheme. All members of the BBAF board including, Love Cambridge, Taxi Licensing and Bus Operators were consulted and approved the scheme. Businesses also sit on the BBAF board and the General Manager of the Grand Arcade approves of the proposal.

As part of the mandatory approval process the Department for Transport (DfT) was consulted and signed off the proposals in principle, whilst Cambridgeshire Constabulary, Traffic Parking Tribunal, Traffic Enforcement Centre have all been engaged in the development of the proposals.

Notices were placed in the local press and were also displayed in the roads affected by the TRO. The proposal was also available to view at the County Council offices. In addition, notices are also available on the County Council's website.

4.5 Localism and Local Member Involvement

No informal consultation took place due to the timescale associated with BBAF. The opportunity to provide comment was afforded to Members, during the advertisement of the TRO, as part of the statutory consultation period.

4.6 Public Health Implications

There is the potential for positive public health implications through the promotion of sustainable transport (and associated reduction in emissions from lower levels of car usage), and through the promotion of bus lanes as safer routes for cyclists.

Source Documents	Location
Consultation responses Draft Traffic Regulation Order Letters of objection	Room:209 Shire Hall Castle Hill Cambridge CB3 0AP
Cabinet Agendas and Minutes - 26.11.2013	http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Meeting.aspx?meetingID=726

Appendix 1 – RESPONSES RECEIVED

No.	RESPONSE RECEIVED	OFFICER RESPONSE
1.	<p>a) Bus lane enforcement is appropriate.</p> <p>b) Objects to installation of cameras until it is proven that these will not be used to 'trap' motorists who stray into the lanes - e.g. Hills Road from Norwich Street junction to Lensfield Rd. Many examples of motorists being forced to use bus lanes in order to allow oncoming vehicles to pass stationary traffic.</p> <p>c) Cambridge needs to ban or price out private cars from an extended central area of Cambridge whilst simultaneously improving public transport capacity. Unless the Council addresses transportation issues in a more coordinated way this sort of enforcement will only be seen as a fund raising exercise.</p>	<p>a) Noted.</p> <p>b) The Council recognises that there will be situations where drivers will have to enter the bus lane temporarily. The evidence gathered by the cameras will be reviewed by trained Civil Enforcement Officers and the guidance they work to will specify that taking avoiding action will not result in a Penalty Charge Notice being issued as long as they leave the bus lane as soon as the obstacle is passed.</p> <p>c) The Council has developed and continues to develop strategies to ensure that public transport, cycling and pedestrian focused transport schemes are introduced while maintaining a balanced provision for other modes of transport, recognising that there are insufficient resources to implement all these schemes immediately. The latest version of this is the Transport Strategy for Cambridge and South Cambridgeshire published in March 2014.</p>
2.	<p>a) Example of Newmarket Rd near West's Garage, where there is a bus lane in which traffic on the outside lane does not allow you to filter in if you make a mistake – this will be a priority position for a camera.</p> <p>b) Coming into town there will be at least seven entrances to businesses that will have further restricted access to their premises.</p> <p>c). Enforcement will add to congestion on Newmarket Rd.</p>	<p>a) Part of the investigation into the practicality of bus lane enforcement included a review of the layout and signs leading up to a bus lane. As a result, several areas have been redesigned with longer tapers at the beginning of lanes and advanced warning signs advising which lane to use to avoid entering the bus lanes. These redesigns are good practice and should be introduced whether bus lane enforcement takes place or not.</p> <p>b) Drivers will be able to cross the bus lane to enter businesses on the inbound section of Newmarket Road without receiving a Penalty Charge Notice but they will not be allowed to travel along the bus lane prior to turning in.</p> <p>c) The decreased journey times and increased reliability of the bus</p>

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	<p>d) Motorists should not be punished for momentarily using bus lanes however people should not be allowed to park within them.</p> <p>e) Fund raising exercise.</p>	<p>services should encourage increased use of the bus services thereby decreasing congestion within the city.</p> <p>d). Drivers using the bus lane to avoid obstacles and other circumstances beyond their control will not receive Penalty Charge Notices as long as they leave the bus lane immediately the obstacle has been passed.</p> <p>e) Monies received through the issuance of Penalty Charge Notices, will be put back into covering the cost of the Bus Lane Enforcement operation. Any surplus generated will be reinvested in wider Environmental, Highways and Transport projects that seek to benefit road users and the wider community.</p>
3.	<p>a) Issue on Newmarket Rd where very often the middle lane is congested near Cheddars Lane and people often use bus lane, when empty, to turn left.</p> <p>b) Enforcement will increase congestion.</p> <p>c) Buses don't seem to be held up by cars, therefore don't understand why this is necessary.</p>	<p>a) There is provision at the Cheddars Lane junction for vehicles turning left in line with the Department for Transport guidance on bus lanes.</p> <p>b) The decreased journey times and increased reliability of the bus services should encourage increased use of the bus services thereby decreasing congestion within the city.</p> <p>c) The bus lanes in Newmarket Road were identified in consultation with Stagecoach as the location of the greatest number of delays.</p>
4.	<p>a) Strongly object to any increase in the powers of the Council to use cameras to monitor the activities of the public and punish minor infringements of the law.</p>	<p>a) Camera enforcement is the only method of enforcement in bus lanes that can result in long term improvements to the number of vehicles contravening the bus lane restrictions. Only the evidence for Penalty Charge Notices is retained and this is deleted after a maximum period of 24 months. Details of individual drivers will not be kept after this time.</p>
5.	<p>Sustrans, a UK charity promoting sustainable travel, supports the proposal to enforce the restrictions of vehicle access to bus lanes. We are aware of locations where it is quite common to witness excluded motor</p>	<p>Noted.</p>

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	vehicles in a bus lane, causing inconvenience or danger to cyclists legitimately using the lane. Better enforcement would encourage more people to cycle in Cambridge, which would give clear health, environmental and amenity benefits. It is important that cycles should continue to be allowed to use all bus lanes in Cambridge, and that signs and markings should make this clear to all road users.	
6.	Cambridge Cycling Campaign objects to the proposals due to the road markings associated with camera enforcement not including the cycle symbol marking within the bus lane.	Following further discussions between County Council Officers and the Cambridge Cycling Campaign, this objection has subsequently been withdrawn.
7.	Objects to the removal of the cycle symbol marking on the carriageway.	Following further discussions between County Council Officers and the Cambridge Cycling Campaign and confirmation of the discussion in a letter to the objector, this objection has subsequently been withdrawn.