

## Report title: Elizabeth Way, Cambridge – Consider Objections to Making Experimental Bus Lane Order allowing use by Powered Two-Wheelers and Electric Vehicles Permanent

To: Highways and Transport Committee

Meeting Date: 12<sup>th</sup> July 2022

From: Executive Director, Place and Economy

Electoral division(s): Abbey, Chesterton and Market

Key decision: Yes

Forward Plan ref: 2022/067

Outcome: To consider objections and other representations received in response to the introduction of an Experimental Traffic Order to allow powered two-wheelers and fully electric zero emission vehicles (ZEVs) to use the bus lane in Elizabeth Way, Cambridge. The decision required is whether the Order should be made permanent, in whole or in part, or abandoned.

Recommendation: a) Allow the Experimental Traffic Order to lapse and return the bus lane to previous usage.  
b) Inform the objectors and others who submitted written representations of the decision.

### Officer contacts:

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### Member contacts:

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Name: Councillor Neil Shailer  
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## Background

- 1.1. Full Council approved an Air Quality Motion in December 2019. This identified encouraging the electrification of transport as key to improving air quality, while also aiding in achievement of the Councils net-zero by 2050 target (now brought forward to 2045). Expanding use of bus lanes to include electric vehicles and powered two wheelers, in addition to the current buses, taxis and cyclists, is a mechanism identified within the motion to encourage this transition. A project to pilot these changes was implemented in Elizabeth Way under an Experimental Traffic Order (ETO). The intention being that if the trial was successful in Elizabeth Way, it would be implemented on a permanent basis on all bus lanes in Cambridge.
- 1.2. The ETO allows motor cycles and fully electric zero emission vehicles (ZEVs) to use the bus lane in Elizabeth Way, Cambridge. Buses, pedal cycles and taxis (both hackney carriages and private hire vehicles) were previously allowed to use the bus lane and there are no plans to change that.
- 1.3. The Government has legislated to ban the purchase of petrol, diesel and hybrid cars from 2030 and is encouraging drivers to purchase ZEVs. By allowing them to use bus lanes, it was hoped that this would provide an additional incentive for people to buy ZEVs.
- 1.4. Motor cycles are generally more fuel-efficient and use less road space than cars, so can make a contribution to improving air quality and reducing congestion. Allowing motor cycles to use bus lanes may offer an additional incentive for people to purchase and use powered two-wheelers in preference to private cars. Motor cycle use of bus lanes could have some safety benefits, as it may reduce the likelihood of motor cyclists weaving between lanes of slow moving traffic to avoid queues.
- 1.5. In March 2021, after the ETO had been introduced, the Department for Transport published "Bus Back Better: national bus strategy for England" which does not support opening bus lanes to electric cars or vans as the expected increase in numbers of these vehicles would quickly erode the benefits that bus lanes bring to bus users.

## 2. Main Issues

- 2.1. The Council introduced this measure on an experimental basis, which it can do for a period of up to 18 months to allow it to be monitored. It is normal practice to carry out an initial 6 month trial period, which ran from 14th December 2020 to 13th June 2021, during which time anyone can submit comments on the scheme and whether it should be made permanent.
- 2.2. During that 6 month period the bus lane was closely monitored to understand the effect the changes are having. Monitoring included:
  - Traffic surveys: These were undertaken to understand the volume of traffic using the bus lane. Three sets of 3 day long traffic counts were undertaken at the start, middle and end points of the pilot. Over the duration of the pilot an increase in the use of the bus lane by motorcycles and ZEVs was observed. However, there remained more use of the bus lane by unpermitted vehicles (ie. non battery electric) than those permitted. Overwhelmingly the main users of the bus lane were cyclists. See below figures 1 and 2.

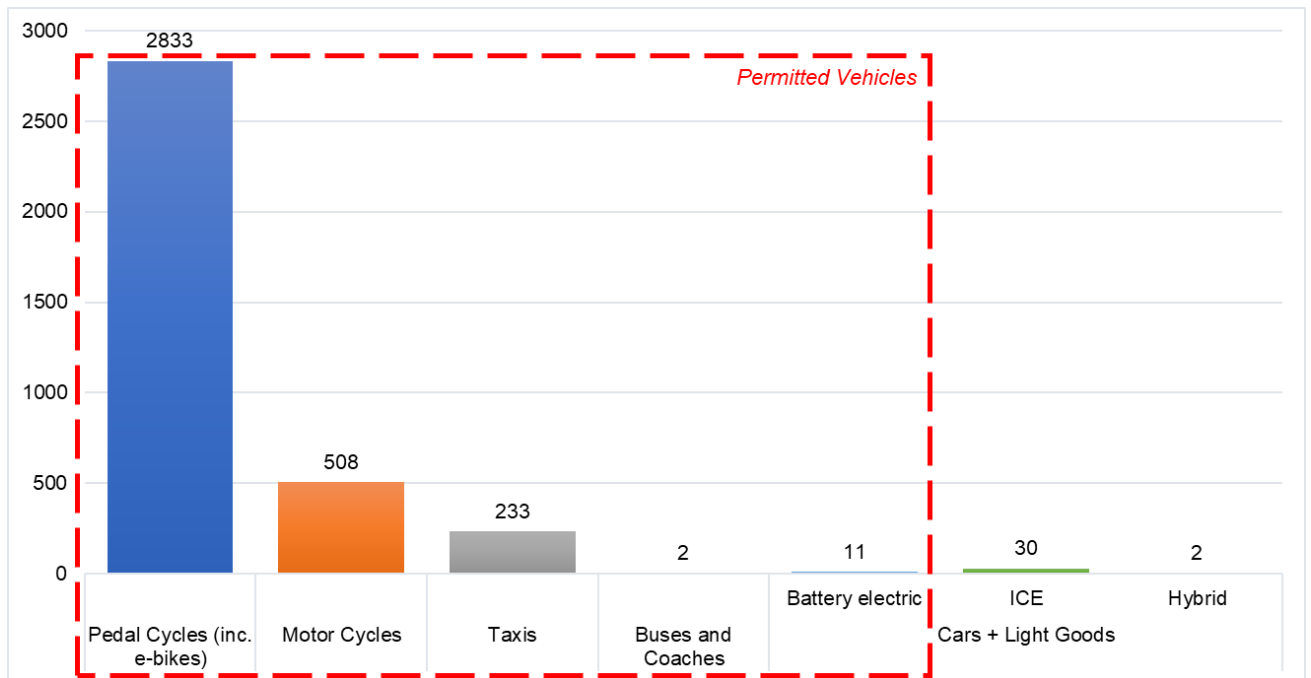


Figure 1 Average numbers of vehicles using the bus lane across all surveys.

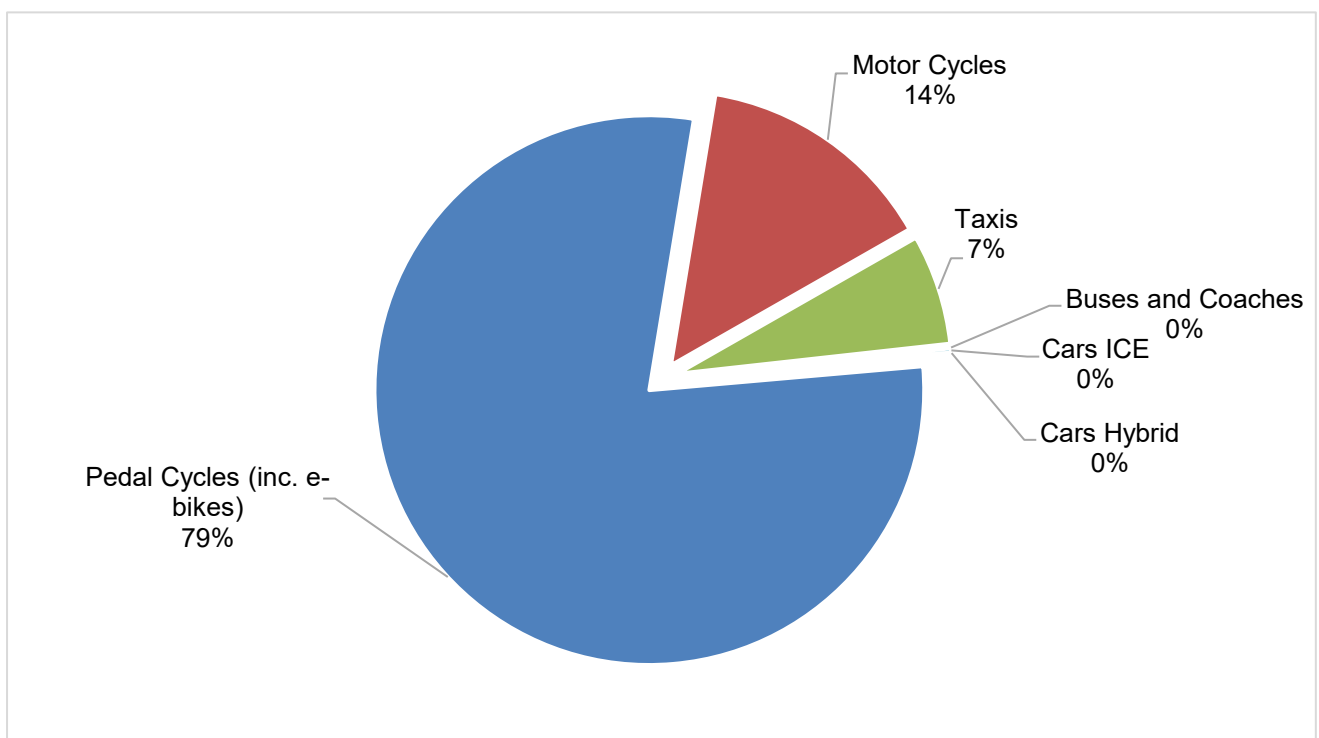


Figure 2 Breakdown of average permitted vehicles using the bus lane across all surveys

- Monitoring of bus journey times:** These were done to understand whether there is any detrimental effect of allowing additional vehicles into the bus lane. Initial results did not indicate any impact on bus journey times; however this was anticipated while awareness of the change to bus lane access was low. Unfortunately, during the first month of the pilot covid-related changes to bus routes meant the bus lane was no longer used by buses, so this monitoring could no longer continue. It is anticipated however, that greater use of the

bus lane by vehicles other than buses would eventually lead to congestion on the bus lane.

- Understanding the impact on air quality: This was undertaken in collaboration with Cambridge City Council, utilising their existing Air Quality Monitoring systems at the site. The pilot was undertaken during a time when traffic movement was low due to travel restrictions arise from the Covid-19 lockdowns. A resulting improvement in air quality (Nitrogen dioxide) was observed during this time, as noted in the [2021 Air quality Annual Status Report](#). Through the duration of the pilot the lockdown restrictions steadily eased and concurrently traffic increased. This has made disaggregating the impact of the pilot from the impacts of Covid-19 challenging and it remains unclear from the data whether there was a benefit arising from the pilot. Officer opinion is that any benefit from the pilot would likely only be marginal.

- 2.3. While this was a small scale trial only involving the Elizabeth Way bus lane, the expectation at the time of project development was that should it be successful and supported by Members, the same exemptions would be applied to other bus lanes in Cambridgeshire.
- 2.4. The ETO procedure is a statutory process that requires the highway authority to advertise, in the local press a public notice stating that the Council has made an Order, when it will come into operation and how people can object or make other representations. There is also a requirement to consult with certain organisations, such as the emergency services, and others affected by the proposals.
- 2.5. The making of the ETO was advertised in the Cambridge News on 7th December 2020, giving the required 7 days' notice of the Order coming into operation. The deadline for feedback was 13th June 2021, which is the end of the 6 month initial trial period. A total of 91 written representations were received.
- 2.6. Of those who responded 82 objected to the scheme and/or making it permanent. The most common issues raised by those submitting representations were as follows:
  - Danger and inconvenience to pedal cyclists due to additional vehicles in the bus lane, particularly silent and fast-accelerating ZEVs (mentioned in 58 responses).
  - ZEVs are not that environmentally clean due to the road space they occupy, use of raw materials, such as batteries and tyres, and they still create congestion (mentioned in 21 responses).
  - The Council should be promoting alternatives to private car use, such as passenger transport and active travel (mentioned in 20 responses).
  - ZEV use will delay bus services (mentioned in 15 responses).
  - Will disproportionately benefit those who can afford ZEVs to the detriment of those using buses and cycles (mentioned in 13 responses).
  - A better option would be to install the earlier planned cycle lane on the southbound side of Elizabeth Way (mentioned in 10 responses).
- 2.7. A total of 9 respondents offered support for making the Order permanent, with the most common points being as follows:

- It supports motorcycle use which improves safety for vulnerable powered two-wheelers, helps reduce congestion, pollution and increases mobility (mentioned in 6 responses).
- It should be extended to cover all bus lanes in Cambridge and beyond (mentioned in 5 responses).
- It supports the take-up and use of ZEVs (mentioned in 3 responses).

2.8. In view of the responses received and experience gained by running the trial, there are several options available to take this forward. The following tables offers three options and officer comments and the implications of each.

No.	Option	Officer Comments and Implications
A	Make the Order permanent in full, thereby allowing motorcycles and ZEVs to use the Elizabeth Way bus lane.	<p>There appears to be general opposition, particularly amongst cyclists, primarily concerned about their safety. It is understandable that an increase in numbers and types of vehicles using bus lanes will make cyclists feel more anxious and vulnerable.</p> <p>If these exemptions were made permanent that would suggest that the Council has accepted them in principle and implies that the same exemptions should be applied to all other bus lanes in the city. The original intention was that if the trial was successful the same exemptions would be applied to all bus lanes in Cambridge. Expanding ZEV and motorcycle usage to all bus lanes is likely to lead to very strong opposition from cycling representative groups and individual cyclists.</p> <p>See also the longer term impacts of allowing ZEVs to use bus lanes and the likely effect on bus services as explained in option C.</p>
B	Make the Order permanent in part, thereby allowing just powered two-wheelers to use the Elizabeth Way bus lane.	<p>The majority of the safety concerns were related to ZEV use of the bus lane, due to their size, silent operation, etc., with much less opposition to motorcycle use. However, if this option was taken forward, it would infer that the motorcycles should be allowed to use all bus lanes in the city as that was the original plan. Such a proposal could well lead to strong opposition from cyclists.</p> <p>The idea of allowing powered two-wheelers to use bus lanes is not new and has been used in other towns for many years. Government advice says that <i>“Various monitoring and research projects have been carried out to determine the effects on both motorcycles and other road users. The research does not lead to clear conclusions, but suggests both potential benefits and disbenefits. As with any scheme, the decision to allow motorcycle access to bus lanes should</i></p>

No.	Option	Officer Comments and Implications
		<p><i>be taken with care to mitigate foreseeable and avoidable risks.”</i></p> <p>It is acknowledged that there is some support from motorcyclists for this change due to it improving safety and convenience for them. However, the very large number of pedal cyclists using Cambridge’s roads, including bus lanes, means that there is the potential for greater conflict between cyclists and other vehicle types than exist in many other towns and cities.</p>
C	Abandon the experiment	<p>The likely benefits of this experiment were always likely to be marginal and would reduce in time, primarily due to the inevitable increase in ZEV ownership and use. It is clear that there is opposition, primarily from cyclists, with significantly less in the way of support.</p> <p>Importantly, in March 2021, the Department for Transport published “Bus Back Better: national bus strategy for England” which contains the following statement <i>“We will not support opening bus lanes to electric cars or vans, which would quickly erode their benefits to bus users.”</i></p> <p>As the growth in ZEV ownership increases, the benefits to users of those vehicles are likely to rapidly decrease to the detriment of bus services. Hence, in the longer term, ZEV use of bus lanes is unsustainable.</p>

- 2.9 The officer recommendation is option C. The main reasons being that since the trial commenced Government advice does not recommend opening up bus lanes to ZEVs; Cambridge has relatively few bus lanes that are mostly short in length, so the benefit to ZEV drivers is limited; and it could only ever be a temporary measure due the eventual full switch over to ZEVs. Similarly, the potential for increased conflict between cyclists and powered two-wheelers makes option B problematic without further understanding of the interactions between the two modes. As highlighted in option B’s description; while nationally there are areas that allow powered two-wheelers into bus lanes, these areas tend to not have the same level of cyclists using the same road space.
- 2.10 It should be remembered that although the trial was in Elizabeth Way, it was always the intention that, if successful, the same changes would be applied to all bus lanes on a permanent basis.
- 2.11 In view of the comments received from cyclists and the minimal use of Elizabeth Way by buses, the Council will explore options to reallocate road space to facilitate cycle use, when a suitable opportunity arises.

### 3. Alignment with corporate priorities

#### 3.1 Environment and Sustainability.

The following bullet points set out details of implications identified by officers:

- It was hoped that allowing ZEVs to use bus lanes would encourage the purchase and use of zero emission vehicles. However, for the reasons set out in this report, those environmental benefits are deemed to be marginal.
- Allowing motorcycles to use bus lanes encourages the use of a form of transport that produces fewer emissions and uses less road space. However, there are perceived safety issues arising from increased vehicles accessing the bus/cycle lane.

#### 3.2 Health and Care.

There are no significant implications for this priority.

#### 3.3 Places and Communities.

There are no significant implications for this priority.

#### 3.4 Children and Young People.

There are no significant implications for this priority.

#### 3.5 Transport.

The following bullet points set out details of implications identified by officers:

- Allowing ZEVs and motorcycles to use bus lanes would have a marginal beneficial impact on congestion and would assist owners of such vehicles. However, it could compromise bus services and has safety implications, particularly for pedal cyclists.
- Due to the relatively modest scale of the scheme, the overall impact to the transport network is deemed to be negligible.

### 4. Significant Implications

#### 4.1 Resource Implications

The following bullet points set out details of significant implications identified by officers:

- Expansion of the bus lane exemptions across all bus lanes in Cambridge would have cost implications in terms of processing the required TROs and significant traffic sign replacement works.
- A preliminary cost estimate indicates that to convert all bus lanes in Cambridge to ZEVs and motorcycle use (or just motorcycle use) is likely to be approximately £43,000.

#### 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category.

#### 4.3 Statutory, Legal and Risk Implications

The following bullet points set out details of significant implications identified by officers:

- All statutory Regulations have been followed and any risk implications are negligible.

#### 4.4 Equality and Diversity Implications

The following bullet points set out details of significant implications identified by officers:

- People with protected characteristics are not expected to be negatively impacted by the recommendation to return the bus lane to previous usage.
- There could be a socio-economic impact in that allowing ZEVs to use bus lanes is likely to benefit those able to afford to purchase and run ZEVs as they are generally more expensive than cars with combustion engines. Furthermore, use of bus lanes by ZEVs and motorcycles could have negative impact on those using pedal cycles, some of whom may not be able to afford to own a ZEV or motorcycle.

#### 4.5 Engagement and Communications Implications

The following bullet points set out details of significant implications identified by officers:

- At the time of implementation (December 2020), all statutory consultees were notified and given the opportunity to submit written representations. Others, such as cycling interest groups and bus companies were also consulted.

#### 4.6 Localism and Local Member Involvement

The following bullet points set out details of significant implications identified by officers:

- At the time of implementation (December 2020), all relevant County and City Council Members were consulted, but following the May 2021 elections many new Members are now in place and they have not been consulted.

#### 4.7 Public Health Implications

There are no significant implications within this category.

#### 4.8 Environment and Climate Change Implications on Priority Areas (See further guidance in Appendix 2):

##### 4.8.1 Implication 1: Energy efficient, low carbon buildings.

Positive/neutral/negative Status: Neutral

Explanation: n/a

##### 4.8.2 Implication 2: Low carbon transport.

Positive/neutral/negative Status: Neutral

Explanation: It was anticipated that allowing ZEVs to use bus lanes would encourage the purchase and use of ZEVs. However, for the reasons set out in this report in para 2.2, it was difficult to disaggregate the data for the pilot because lockdown restrictions eased, and it was officers' opinion that the impacts on low carbon transport choices are deemed to be marginal and likely to be temporary only. Therefore, this has an overall neutral impact.

##### 4.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.

Positive/neutral/negative Status: Neutral

Explanation: n/a

##### 4.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.

Positive/neutral/negative Status: Neutral

Explanation: n/a

##### 4.8.5 Implication 5: Water use, availability and management:

Positive/neutral/negative Status: Neutral

Explanation: n/a



4.8.6 Implication 6: Air Pollution.

Positive/neutral/negative Status: Neutral

Explanation: It was anticipated that allowing ZEVs to use bus lanes could encourage the purchase and use of zero emission vehicles, thus creating less air pollution. However, for the reasons set out in this report, that reduction is deemed to be marginal. Motorcycles generally produce fewer emissions than motor cars, so their use is encouraged, but there are cleaner alternatives, such as cycling, walking and buses.

4.8.7 Implication 7: Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change.

Positive/neutral/negative Status: Neutral

Explanation: n/a

Have the resource implications been cleared by Finance? Yes

Name of Financial Officer: Sarah Heywood

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement? Yes

Name of Officer: Clare Ellis

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or LGSS Law? Yes

Name of Legal Officer: Fiona McMillan

Have the equality and diversity implications been cleared by your Service Contact? Yes

Name of Officer: Elsa Evans

Have any engagement and communication implications been cleared by Communications? Yes

Name of Officer: Sarah Silk

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes

Name of Officer: David Allatt

Have any Public Health implications been cleared by Public Health? Yes

Name of Officer: Iain Green

If a Key decision, have any Environment and Climate Change implications been cleared by the Climate Change Officer? Yes

Name of Officer: Maggie Pratt

## Source documents

### 5.1 Source documents

A document containing all representations submitted is available to view on the [Highway and Transport Committee 12th July 2022 page](#)

# Appendix 1 – Public Notice

## Public Notice

### Cambridgeshire County Council (Elizabeth Way, Cambridge) (Bus Lane Exemptions) Experimental Order 2020

Notice is hereby given that Cambridgeshire County Council has made an Order under the Road Traffic Regulation Act 1984, the Traffic Management Act 2004 and all other enabling powers.

The effect of this Order is to allow Motor Cycles and Electric Vehicles (battery-powered with zero emissions only) to use the bus lane in Elizabeth Way, Cambridge that runs in a northerly direction from north of Newmarket Rd to Ferry Cutter Close.

The Order will be implemented initially on an experimental basis for eighteen months, after which time the Council will be considering in due course whether the provisions of the Experimental Order should be made permanent.

For further details of the above proposals, including a copy of the Order, which comes into operation on the 14<sup>th</sup> December 2020, please visit our [experimental traffic regulation orders page](#) and select PR0667. To request copies of documents please telephone 0345 045 5212 or use the e-mail below.

Anyone wishing to object to the order being made permanent or to make any other representation regarding the scheme has 6 months to do so, starting from the date the experimental order comes into force (or, if the order is varied by a subsequent order or modified pursuant to section 10(2) of the Road Traffic Regulation Act 1984 from the date that variation order or modification comes into force.

Objections to making the Order permanent, together with the grounds on which they are made, or any additional comments, must be sent in writing to the undersigned or by email to [policyandregulation@cambridgeshire.gov.uk](mailto:policyandregulation@cambridgeshire.gov.uk) by 13th June 2021 quoting reference PR0667. Comments received will be used as part of our consultation process and may be published, but will be anonymised, in any reports.

Steve Cox, Executive Director, Place and Economy, c/o Policy and Regulation, Shire Hall, Castle Street, Cambridge CB3 0AP  
7<sup>th</sup> December 2020

