

Mill Road Bridge, Cambridge, Traffic Regulation Order

To: Highways and Transport Committee

Meeting Date: 4 October 2024

From: Executive Director of Place and Sustainability

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2024/082

Executive Summary: This report sets out proposals to introduce a modal filter on the Mill Road bridge in Cambridge. If approved, this would restrict traffic over the bridge by motor vehicles, except local buses, taxis, Private Hire Vehicles, blue badge holders' registered vehicles, and other authorised vehicles. Access would also be maintained for cyclists and pedestrians.

The report details previous consideration and consultation on the proposals, and responses received in the five week statutory notice period (9 August – 13 September 2024) for the proposed Traffic Regulation Order.

The Mill Road decision quashed by the court on 6 August 2024, and the statutory consultation relating to it, is not being taken into account. The matter is being determined afresh.

The Committee is asked to consider the representations made in the notice period following the publication of the Traffic Regulation Order on 9 August 2024, and to consider whether to approve the proposed modal filter. If approved, the modal filter would be implemented with the exemptions as specified in the order.

Recommendation: The Committee is recommended to:

- a) Determine the formal objections;
- b) For the reasons set out in the Statement of Reasons and in this report, approve the proposed modal filter on Mill Road bridge, as advertised; and
- c) Authorise officers to inform the objectors accordingly, as well as those that made representations.

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1. Creating a greener, fairer and more caring Cambridgeshire

1.1 This report details proposals that would impact on the following ambitions of the Council.

Ambition 2: Travel across the county is safer and more environmentally sustainable

1.2 Mill Road's use as an alternative route to the ring road for through traffic, combined with local use and the volume of cyclists and pedestrians, causes significant congestion at times, resulting in concerns over road safety. This high volume of traffic often causes conflict between motorised vehicles and pedestrians and cyclists, resulting in an unpleasant environment for all. Buses are delayed on Mill Road at peak and other busy times. Reducing traffic levels on Mill Road and particularly removing through movements would encourage more environmentally sustainable travel choices.

Ambition 1: Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes

1.3 In light of the experience following the introduction of a modal filter on Vinery Road, officers are of the opinion that the proposals are likely to result in some shift away from car use towards active travel uses and public transport, which is capable of having a positive impact on greenhouse gas emissions from transport.

Ambition 3: Health inequalities are reduced

1.4 Greater levels of active travel usage, as explained above, which are likely to be delivered by the proposals, have been shown to contribute to better physical and mental health outcomes.

2. Background

2.1 This report considers representations received during the five-week Mill Road bridge Traffic Regulation Order (TRO) notice period for the proposed modal filter, which ran from 9 August 2024 to 13 September 2024. Members are asked to determine whether to introduce the Traffic Regulation Order, informed by their consideration of the representations.

Prior consideration of proposals for a modal filter on Mill Road bridge

2.2 Appendix 1 sets out the prior consideration of a modal filter on Mill Road bridge by the Council.

Greater Cambridge Partnership Consultation

2.3 In Spring 2022, the Greater Cambridge Partnership (GCP) undertook [a non-statutory consultation](#), which sought to assess how proposals for Mill Road would work with the City Access strategy, and to achieve the widest possible exposure of proposals through a

multi-channel approach. The consultation included focus group meetings with key stakeholders and a public survey between 7 February 2022 and 21 March 2022.

- 2.4 1,986 responses were received in total, with a large amount of qualitative feedback, including responses from a number of different groups and organisations.

Findings from the Spring 2022 GCP consultation

- 2.5 Key findings of the GCP public consultation included:

- 54% of 1,962 respondents indicated 'congestion' was the most important issue affecting the way they use Mill Road. Other issues included 'pavements' (17%), 'speeding' (14%), and 'parking' (12%).
- 77% of 1,974 respondents opposed 'Theme 1: Do nothing', whilst 83% supported 'Theme 2: Improve the quality of the place', and 77% supported 'Theme 3: Changes to traffic and access in the medium and long term'.
- 72% of 1,975 respondents supported restricting motor vehicles from crossing Mill Road bridge and 70% supported possible allowances for buses, taxis and drivers with disabilities and/or mobility needs.

- 2.6 Respondents to the public consultation clearly supported a re-instatement of the Mill Road modal filter but with important caveats, such as allowing exemptions for disabled people and taxis. They also supported improvements to the public realm, walking, cycling and local parking along Mill Road.

- 2.7 A [report on the GCP's review and consultation review](#) was presented to the Highways and Transport Committee at its meeting on 12 July 2022. The Committee duly approved the recommendations to consult on a TRO to reinstate a modal filter on Mill Road, and to consult on exemptions to the TRO, including disabled people and taxis.

3. Main issues

Legal Challenge

- 3.1 In July 2023, the Cambridge (Mill Road) (Bus Gate) Order 2023 (the 2023 TRO), which had previously been made on 7 March 2023, was challenged in the courts and as a result the Council agreed in August 2023 not to implement the 2023 TRO and any of the planned changes until the legal case was resolved.
- 3.2 In August 2024, the Council agreed with the claimant to end the legal proceedings in relation to the Mill Road Traffic Regulation Order challenge by consenting to judgment on the grounds that providing a link to the officer's report and decision summary was not adequate to comply with regulations 7 and 17 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the 1996 Regulations) in the circumstances of that case. The Court therefore quashed the 2023 TRO.

- 3.3 Following the quashing of the 2023 TRO, under existing delegated officer authority, the Council decided to undertake the consultation and decision-making process on the TRO again.
- 3.4 The matter is to be considered afresh and no weight should be given to the previous decision to make the 2023 TRO.

Publication of the Traffic Regulation Order

- 3.5 A [Proposed Traffic Regulation Order](#) for the Mill Road bridge was advertised on 9 August 2024. This proposed TRO would restrict vehicular traffic over the railway bridge, with exemptions for local buses, cyclists, pedestrians, taxis (being both hackney carriages and private hire vehicles), and authorised vehicles, which includes vehicles in a disabled tax class, NHS tax-exempt vehicles, and vehicles on the Council's Permitted Vehicles List for the Mill Road bus gate, which is determined on a case by case basis at the Council's discretion, in circumstances where the Council's intention is generally to permit blue badge holders to register up to two vehicles which may be either their own vehicle or a vehicle belonging to a carer.
- 3.6 The Statement of Reasons produced pursuant to paragraph 2(d) of Schedule 2 to the 1996 Regulations identifying the reasons given for proposing to make the Order is attached at Appendix 2 of this report.

Representations received during the TRO notice period

- 3.7 A five-week TRO notice period followed the publication of the proposed TRO, from 9 August 2024 to 13 September 2024. The usual TRO consultation period of 21 days was extended to allow people extra time to respond due to the summer holiday period. The consultation was carried out in accordance with regulation 6 of the 1996 Regulations, and specifically that the groups identified in item 7 of regulation 6 were consulted, including such other organisations representing persons likely to be affected by any provision in the order as the order making authority thought it appropriate to consult (Mill Road Traders Association, Friends of Mill Road Bridge, Camcycle, Network Rail).
- 3.8 Formal objections to the proposal, together with the grounds on which they were made or any additional comments, could be registered online or sent in writing to the Council's Policy and Regulation team. The statutory minimum period for objections to be submitted is three weeks. It should be noted that the formal consultation stage of a proposed TRO is open for all to comment on. All comments must be duly considered before a TRO can be made operational and the scheme implemented on site.
- 3.9 The Policy and Regulation team received 1894 objections (and also 2155 comments supporting the TRO) from both individuals and different groups and organisations.
- 3.10 Of the 1894 objections, around 214 objections provided no rationale. Similarly, of the 2155 supportive comments, around 218 did not provide a rationale. 1680 objections and 1937 supportive comments were submitted with detailed feedback.
- 3.11 To ensure fair process, the TRO responses to the Appyway consultation website were examined to ensure there was no duplication. Similarly, the email addresses of TRO responses were scrutinised to rule out duplication. As a result of this process, 218 responses were identified as duplicates.

3.12 Key findings of the statutory consultation include:

Objections:

- Impact on traffic and congestion on alternative routes
- Impact on local businesses
- Accessibility concerns
- Environmental impact and pollution
- Impact on local residents
- Alternative solutions to reduce traffic
- Concerns for minority groups
- Preservation of Mill Road's character
- Adverse impact on carers, health and emergency services

Support:

- Safety improvements
- Active travel benefits
- Environmental benefits
- Traffic reduction
- Place-making
- Benefits to businesses
- Improved experience from previous Experimental Traffic Regulation Order (ETRO)

3.13 The objections to the proposed TRO closely reflected those that had been raised in the GCP's 2022 public consultation. Many of those groups and individuals who opposed the modal filter in the public consultation have sent in objections to the proposed TRO¹.

3.14 A summary of the issues raised in representations received in the TRO notice period is included in Appendix 3 of this report.

3.15 It should also be noted that in addition to the formal objections two petitions were received on this matter. Petitions relating to TROs are considered by the Executive Director of Place and Sustainability, in consultation with the local members.

Review of the proposal

3.16 The proposal has been assessed against how it fits with policy and guidance, the transport, and wider impacts, and the representations made through the TRO consultation.

3.17 Policy: In July 2020, the Department for Transport launched 'Gear Change: A bold vision for cycling and walking' and 'Cycle Infrastructure Design Local Transport Note 1/20'. Both of these documents clearly set out the government's commitment to a radical change in the provision of walking and cycling infrastructure - the value of cycling and walking in terms of physical health and mental wellbeing.

¹ The Council is not taking into consideration the 2023 Order decision or consultation. That Order was quashed and is of no effect.

- 3.18 Active and sustainable travel are amongst the objectives detailed in the Cambridgeshire and Peterborough Combined Authority's Local Transport and Connectivity Plan (adopted in November 2023). The Council, the local highway authority, has developed an Active Travel Strategy (adopted in March 2023), which sets out a range of policies to enable and encourage the increased use of active travel modes and reduce the number of journeys made by car. A Local Cycling and Walking Investment Plan (adopted in October 2022) has also been developed and sits within the Strategy; following government guidance and utilising tools it identifies the best routes to create in order to increase levels of walking and cycling.
- 3.19 The Cambridgeshire and Peterborough Health and Wellbeing & Integrated Care Strategy has an ambition related to the environment and wellbeing.
- 3.20 Congestion: Mill Road suffers from high levels of through traffic, which combined with local traffic and the high number of pedestrians and cyclists, causes significant congestion, particularly at peak times. The proposals would reduce motor traffic on Mill Road through the removal of a significant number of through trips. Concerns have been raised about the displacement of this traffic onto other routes. If the TRO is approved, the Council would closely monitor the impact on traffic in the surrounding area
- 3.21 Safety: Mill Road has a range of issues that impact on health and safety for the people who live and work in the area. These include pavements that the Council considers are too narrow to accommodate the amount of footfall to shops, restaurants and businesses, and a high volume of motor and cycle traffic sharing a carriageway of restricted width. The removal of through traffic would help to avoid danger to persons or other traffic using the road.
- 3.22 Sustainable Travel: The modal filter would make it easier and more attractive to use sustainable modes, such as public transport and active travel. The removal of a large number of through trips would help to alleviate congestion, which provides an opportunity for improved bus punctuality.
- 3.23 Business: Businesses have expressed concerns that the proposals may have a negative effect on business in the area through the loss of motorised passing trade. These concerns are acknowledged. The proposals do however provide an opportunity to benefit businesses in the area by creating a more pleasant environment, with less motor traffic. This has potential to increase footfall and associated business revenues. There are narrow pavements in an area with high footfall to shops, restaurants and businesses. The proposals provide an opportunity to preserve and/or improve the amenities of the area in future following a reduction in motor traffic.
- 3.24 Accessibility: The proposal intends to reduce inequality by promoting public health by enabling safe and sustainable journeys and reducing the harmful impacts of motor traffic. The scheme has the potential to provide a green legacy in respect to increasing active travel. Exemptions are set out in the proposed TRO to ensure that protected groups are not disadvantaged. It is recognised that some groups are potentially disadvantaged, such as those accessing their place of worship who may experience a longer drive. The proposed TRO sets out exemptions for licenced taxis. An Equality Impact Assessment is attached at Appendix 4.
- 3.25 Impact on carers, health and emergency services: Concerns were raised about the proposals' impact on carers, health workers and emergency services. Exemptions are set

out in the proposed TRO, including emergency vehicles and registered vehicles of blue badge holders. The Council's intention is generally to permit blue badge holders to register up to two vehicles, which may be either their own vehicle or a vehicle belonging to a carer.

Local Member engagement

3.26 Local members have been made aware of the publication of the proposed TRO and the statutory consultation.

Next steps

3.27 If the TRO is approved by the Committee, the next steps would be:

- From 4 October 2024, blue badge holders would be able to register up to two vehicles for exemption via an online application form. The application would then be processed, and an email sent to the blue badge holder confirming the exemption is in place. Blue badge holders should allow up to three working days for their application to be processed. Blue badge holders who have previously registered vehicles between March 2023 and August 2024 would not need to reapply. If a blue badge has expired during this period, a new application would need to be made.
- In November 2024, works to implement the bus gate including cameras, signs and road markings would be installed at either end of the railway bridge. Signs would also be installed along Mill Road and on nearby streets to inform drivers about the new road layout and to advise drivers that businesses on Mill Road remain accessible and open as usual. These works would be completed by early December 2024.

3.28 The traffic restrictions would be enforced by Automatic Number Plate Recognition (ANPR) cameras, with the registered owner of any non-exempt motor vehicle recorded using the bridge receiving a fine. There would be a period of 28 days when non-exempt vehicles would receive warning notices with a zero charge. If a vehicle is exempt, the Council would encourage registering the vehicle on-line, by email or post.

Further public realm improvements on Mill Road

3.29 Funding options are being considered for work to develop and implement further public realm improvements on Mill Road. This work would initially consider what changes might be made to improve the environment for those who live on and around Mill Road and for those that visit to access shops and services, and to support those shops and services on Mill Road.

3.30 Possible measures to be investigated could include (but are not exclusive to):

- Measures to declutter areas, for example by widening pavements or relocating street furniture, allowing for more space to be given to pedestrian and amenity use.
- Renewal of street furniture and pavement surfacing.
- Work with businesses on Mill Road to consider whether their servicing needs can

be better addressed and reduce conflict of servicing activities with other users of Mill Road.

- A more comprehensive consideration of how space on the bridge is used with the bus gate in place; by buses, permitted vehicle users, pedestrians and cyclists.

- 3.31 This work would be undertaken in discussion with the local community and local stakeholders. Timescales depend on the availability of funding, but it is anticipated that scoping, design and engagement / consultation could be undertaken in 2025/26.
- 3.32 For the avoidance of doubt, this matter is identified to provide context only, it is not considered to provide any material justification for the making of the proposed TRO, and it is not a matter Members should take into account in considering whether or not to implement the proposed TRO.

Traffic Monitoring

- 3.33 Traffic levels on Mill Road are consistently high, with average daily motorised traffic flow of 7,810 in October 2023, monitored by cameras on the east side of the bridge².
- 3.34 If the TRO is approved, the Council would closely monitor the impact on traffic in the surrounding area. Traffic monitors are located at:
- Mill Road (near Hobart Road, and near Mortimer Road)
 - Tenison Road
 - Station Road
 - Gonville Place
 - Hills Road (near Norwich Street and on the railway bridge)
 - Cherry Hinton Road
 - Coleridge Road
 - Perne Road
 - Coldham's Lane
 - East Road

Air Quality Monitoring

- 3.35 Cambridge City Council ran a trial of Air Quality (AQ) monitoring sensors during the closure of the railway bridge in 2019 (for Network Rail works), so AQ data on Mill Road and the diversion routes from that time is available for any comparison analysis. At that time, the conclusion was that the closure of the bridge did not result in a discernible significant change in pollutant concentrations. However, the experience from Vinery Road, where monitoring was conducted before and after the introduction of a modal filter, showed lower pollutant levels and increased cycle usage on Vinery Road. In light of the experience on Vinery Road following the introduction of a modal filter on Vinery Road, officers are of the opinion that the proposals are likely to result in some shift away from car use towards active travel uses and public transport.

² [Cambridgeshire & Peterborough Insight – Roads, Transport and Active Travel – Traffic Flows – Traffic Flows Dashboard \(cambridgeshireinsight.org.uk\)](https://cambridgeshireinsight.org.uk)

- 3.36 If the TRO is approved, the Council would work with Cambridge City Council and Connecting Cambridgeshire to ensure AQ sensors are in place and providing further data (NO₂, CO₂ emissions, fine particles).

4. Alternative Options Considered

- 4.1 Various options were considered through the non-statutory consultation which took place in 2022. The Highways and Transport Committee resolved in July 2022 to consult on a proposed TRO to instate a modal filter on Mill Road. The decision in March 2023 was quashed and is of no legal effect. It should not be taken into account.

5. Conclusion and reasons for recommendations

- 5.1 On the basis of the results of the extensive 'informal' public consultation undertaken by the GCP in Spring 2022, the July 2022 decision to approve the publication of a TRO, and the responses received during the Notice period of the new TRO consultation between 9 August 2024 and 13 September 2024, it is recommended that the TRO be approved to be made, for the reasons set out in this report and in the Statement of Reasons included in Appendix 2.
- 5.2 Officers remain of the view that the proposal consulted upon satisfies those purposes and also accords with the network management duty under section 122 of the Road Traffic Regulation Act.

6. Significant Implications

6.1 Finance Implications

Funding for the delivery of the scheme has been allocated from the Cambridgeshire and Peterborough Combined Authority's Transforming Cities Fund allocation from the government. In December 2022, the Highways and Transport Committee approved proposals for funding from the Combined Authority's Transforming Cities Fund creating a programme of schemes for delivery with a total budget of £2.86m. From this fund, £335,000 has been allocated for the delivery of the Mill Road scheme. The construction costs are estimated to be £200,000.

6.2 Legal Implications

The Council has the power under the Road Traffic Regulation Act 1984 to make Traffic Regulation Orders. The appropriate statutory procedures regarding advertisement and consultation as set out in the 1996 Regulations have been followed. The objections received have been thoroughly considered and should be carefully considered by Members.

The Council has had regard to the provisions of sections 1 and 122 Road Traffic Regulation Act 1984 and considers that making the proposed order will reduce through traffic to alleviate congestion and promote safer, more environmentally friendly travel options, including cycling and public transport. It is also expected to contribute to the

Council's carbon reduction targets by encouraging shifts away from car use and will, on balance, secure the expeditious, convenient and safe movement of all forms of traffic, including in particular those using active forms of transport for the reasons set out in this report and the statement of reasons.

The deadline for the making of the order is two years following the publication date of the notice of proposals.

There is a statutory right to challenge the making of the order in the High Court within 6 weeks of the date the order is made.

6.3 Risk Implications

Beyond the legal implications set out in paragraph 6.2, there are no significant risk implications.

6.4 Equality and Diversity Implications

The County Council must have regard to the equality objectives identified in section 149 of the Equality Act 2010. The impacts of the proposals in this regard are considered through the Equality Impact Assessment in Appendix 4.

6.5 Climate Change and Environment Implications

Implementation of the scheme is believed to be likely to lead to more walking and cycling as well as more journeys undertaken by public transport and fewer car journeys. It is also intended that emissions of pollutants on Mill Road will be reduced; however increased congestion on alternative routes could lead to poorer air quality. As noted above, it should be noted that Cambridge City Council's Air Quality Monitoring report on the full bridge closure in 2019 stated: "Despite the significant changes in traffic volumes on some of the roads in the study area, there was no discernible corresponding change in air pollutant concentrations". However, the experience of the introduction of a modal filter on Vinery Road showed lower pollutant levels, which suggests that modal filters are capable of achieving the intended reduction of pollutants.

7 Source Documents

7.1 Consultation responses received during the TRO Notice Period:

- Copies of the written representations (redacted) received during the consultation period are available upon request from the Policy & Regulation team: (policyandregulation@cambridgeshire.gov.uk)
- [Copies of the consultation documents \(public notice, site notices, consultation letters\)](#)

7.2 Previous consideration of the traffic orders for the Mill Road bridge by the Council's Highways and Transport Committee:

- [Report on the review of the Experimental Traffic Regulation Order for the Mill Road bus gate that was implemented during the Covid-19 pandemic](#) (27 July 2021)
- [Report setting out proposals for a further consultation on the proposed bus gate](#) (4 November 2021)
- [Greater Cambridge Partnership Consultation report](#) (May 2022)

- [Report detailing the GCP consultation and making recommendations to take the proposals forward](#) (12 July 2022)

7.3 Mill Road bridge web page, and press notice on legal challenge

- [Mill Road bridge TRO webpage](#)
- [Press notice providing an update on the Mill Road Traffic Regulation Order and legal challenge](#) (6 August 2024)