

## REGENERATION, COMMUNITY AND CULTURE OVERVIEW AND SCRUTINY COMMITTEE

12 DECEMBER 2013

### MEMBER'S ITEM:

### USE OF 'RIVERSIDE', A BUS ONLY STREET, STROOD

Report from: Robin Cooper, Director of Regeneration, Community and Culture

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#### Summary

This report sets out the response to an issue, raised by Councillor Hubbard, regarding whether taxi's could be allowed to use 'Riverside', a bus only street between Canal Road and Commissioner's Road, Strood.

#### 1. Budget and Policy Framework

1.1 Under Medway Constitution Overview and Scrutiny rules (Chapter 4, Part 5, Paragraph 9.1) Councillor Hubbard has requested that an item on this matter is included on the agenda for this meeting.

#### 2. The Issue

2.1. Councillor Hubbard has requested that an item was placed on the agenda.

2.2. The proposal as outlined by Councillor Hubbard is to expand the use of the "buses only street" at Canal Road/Riverside to allow its use by taxis. The reasons for this being given as *"it is believed that by expanding its use to include taxis it may improve Medway's integrated transport system by allowing Strood Station based taxis to better serve Medway City Estate. The proposal will reduce taxis using adjoining roads."*

2.3. A letter of consultation was drafted and sent to the local Councillors for views on the 12 September 2013. There were some changes to the original letters to emphasise that the request came from the Regeneration, Community and Culture Overview and Scrutiny Committee As a consequence there was some delay in getting letters to residents but on 18 September the consultation letter

was delivered to residents in the immediate area of the bus lane to those that we believed would be most directly affected.

- 2.4. Details of the area of consultation were supplied to ward Councillors and following a concern from a Councillor the area of consultation was extended to include all residents in Commissioners Road. As a result on 20 September a further letter drop was done to include all residents of Commissioners Road.
- 2.5. This matter was provisionally considered at the last meeting on 3 October 2013, when the draft analysis from the consultation with residents in the vicinity of Canal Road / Riverside was circulated. The Committee agreed for a further report to come back to this Committee to consider the options and for an evaluation of the possibility of minor works that could be taken to mitigate the impact on residents in adjacent streets.
- 2.6. As there were in effect two letter drops, the results of the consultation have been presented in two ways - the overall results of the consultation and broken down by each area.

<b>Consultation results</b>					
	Number sent	Number returned	% Returned	Number in favour	Number against
First consultation	26	8	31%	4	4
Second consultation	31	14	45%	9	3
Overall results	57	22	39%	13	7
Note: 2 respondents from the second consultation did not express a preference either in favour or against					

- The results from the residents most likely to be affected by the proposal (first consultation) shows an equal split between those in favour and those against.
  - The results of the wider consultation show a greater percentage in favour of the proposal.
- 2.7 There were a number of objections to the proposal. The responses from various individuals are detailed below:
- “Why was the tax payers money wasted on this road in the first place.”
  - “We have received your proposal letter and are shocked with the proposal. During the initial proposal and development of the Bus Lane Medway Council told us that they will never give permission to any other vehicle to use the bus lane. That meant taxis too.”
  - “The bus lane was designed to be a bus lane and should stay that way because of noise and you will continue to allow more traffic through.”
  - “Strongly Disagree, we were promised there will be no change of use, the council should stop lorries and HGV coming down Commissioners road instead.”

- “Expansion of the road will mean it is less safe for kids who often use this road to go to the park, it will also increase noise and pollution around this area.”
  - “We disagree with this proposal because any change will cause an increase in traffic and the council should not go back on their promise and keep it a "bus only" road.”
  - “I believe an increase in traffic will also mean an increase in noise.”
- 2.8 A number of other respondents (seven) whilst voting in favour have also added that they feel the route should be opened up to all traffic whether this be permanent or during specific times.

### **3 Director’s comments**

- 3.1 The consultation was undertaken to establish whether the residents of the area would be averse to a change in use of the bus only street. From the replies received, whilst there is a majority in favour as a whole, the results from the more local consultation show opinion is exactly divided. Some respondents are quoting what they feel was promised during the planning phase to them by the Council and which they now feel the Council is reneging on.
- 3.2 Bus services 170 and 174 use the bus only street. These services run approximately half hourly in both directions from 07:00 to 15:30, and then reduce to approximately hourly in both directions to approximately 18:30. As a result, the number of buses using the bus only street varies between 2 to 4 buses per hour between 07:00 and 18:30. No bus services use the link outside these hours. Given the low number of buses using the link, there is likely to be a significant increase in use if taxis are permitted to use the link. In addition, it is not considered practical to control the times of day taxis could use the link. As a result, a proportion of the additional trips are likely to take place during times when the movements may cause increased noise and disturbance to residents, in particular during evenings and overnight.
- 3.3 Automatic number plate recognition (ANPR) cameras enforce the traffic restrictions on the bus only street and the Chatham Waterfront Bus Station (CWBS). The vehicle registration plate of all vehicles authorised to use each link is recorded on the system and drivers of vehicles using these links that are not registered receive a fixed penalty notice. The CWBS authorised users includes both hackney carriage and private hire vehicles registered to Medway Council. The ANPR register for the ‘Riverside’ bus only street could be amended to include taxis, but clarification regarding whether this includes both hackney carriage and private hire vehicles or just hackney carriage would be required.
- 3.4 Without detailed knowledge of the likely usage it is difficult to determine the impact of removing some taxis from the general traffic flow in the Strood area.
- 3.5 The existing Traffic Regulation Order controlling the vehicles authorised to use the bus only road would require amendment to allow the use by taxis.

This would be subject to formal consultation with residents. In addition, allowing taxis to use the bus only road would be a change of use to the extant planning consent and as a result a new planning application would be required for the change of use if it is decided to progress the proposal.

- 3.6 It is likely that if a decision is taken to allow taxis from Strood station to use the bus route then, it will be impossible to restrict that to a specific group of taxis and indeed, experience has shown that such a decision would include vehicles from outside of Medway together with other classes of vehicles such as mini buses. These vehicles would be using the route as a cut through rather than servicing the station. As a result, the usage of the route would become a more 24/7 route rather than the current arrangements, which are restricted by the bus timetable.
- 3.7 A number of respondents have suggested opening the route up to all traffic. It is considered this would result in the A2/Canal Road junction becoming overwhelmed and need significant amendments. In addition the likely volumes would cause significant queuing around the bus lane section which currently is a single lane governed by traffic signals, with queues likely tailing back onto Commercial Road affecting traffic flows into and around the Medway City Estate
- 3.8 In conclusion, this is a finely balanced case. Allowing taxis to use 'Riverside' would bring benefits to taxi operators and taxi users by reducing journey times and associated costs. However, for residents who live close to the link it could bring dis-benefits in terms of reduction in residential amenity.

#### **4. Risk Management**

- 4.1 In making any changes to the class of vehicle accessing the bus route, the levels of traffic may be significantly higher than expected and therefore the effect on residents who feel that the Council gave them an undertaking that the route would be restricted to buses, would be greater.

#### **5. Financial and Legal Implications**

- 5.1 There are no financial or legal implications at this stage. Should the proposal be agreed there will be a requirement to undertake formal consultation under the Traffic Regulation Act 1984 to enable the existing Traffic Regulation Order (TRO) to be amended.
- 5.2 The description of the development detailed in the planning application for the bus link and the associated conditions to control the use by unauthorised vehicles indicates that allowing taxis to use the link would be a material change of the planning consent. As a result a planning application would be required for the change of use.
- 5.3 The costs associated with the proposal will include formal consultation associated with changes to the TRO, planning application fees to amend the

use and changes to signage. The value of these costs has not been determined at this stage.

## **6. Recommendation**

- 6.1. Members are asked to consider the provisional findings of the consultation.
- 6.2. The views of the committee be discussed by the Director of Regeneration, Community and Culture with the Portfolio Holder for Frontline Services.

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### **Background Papers**

- Analysis of consultation results – available from Directorate