

<b>Subject:</b>	<b>Lewes Road Transport Improvements - Formal TRO Consultation</b>		
<b>Date of Meeting:</b>	<b>27 November 2012</b>		
<b>Report of:</b>	<b>Strategic Director - Place</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Robin Reed</b>	<b>Tel:</b> 29-3856
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<b>Key Decision:</b>	<b>Yes</b>		
<b>Wards Affected:</b>	<b>St Peters &amp; North Laine, Hollingdean &amp; Stanmer, Preston Park, Hanover &amp; Elm Grove, Moulsecoomb &amp; Bevendean</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The purpose of this report is to address comments and objections to the draft Traffic Regulation Orders (TRO). The traffic orders outline the proposed introduction of a north and southbound bus, cycle and taxi lane between the Vogue Gyratory and Falmer, an extension of the existing 30mph speed limit northwards to Falmer, and associated changes to waiting and loading restrictions.

**2. RECOMMENDATIONS:**

- 2.1 That, having taken account of all duly made representations and objections, the Transport Committee approves as advertised the following orders;

- Brighton & Hove (Lewes Road) (Bus Lane) Order 20\*\*
- Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 Amendment Order No.\* 20\*\* (Lewes Road)
- Brighton & Hove (Old Shoreham Road, Hove, Falmer Road, Rottingdean & Lewes Road, Brighton) (30 mph Speed Limit) Order 2011 Amendment Order No.\* 20\*\*

with the following amendment:

- the proposed Loading Ban in Lewes Road (Coombe Terrace) is to be amended and a Loading Bay provided for the reasons set out in paragraph 4.45.
- 2.2 That any subsequent requests deemed appropriate by officers are added to the proposed scheme during implementation and advertised as an amendment Traffic Regulation Order once construction of the scheme is complete.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

#### **First Stage Consultation**

- 3.2 An initial public consultation was held over a 6 week period in November and December 2011 to inform people about the award of Local Sustainable Transport Fund (LSTF) and gather local opinion on the transport issues that exist in the area. The results of the initial consultation showed that many people already travel sustainably by bus, on foot and by bicycle but that the overall experience of travelling along Lewes Road is poor or very poor. The most common transport problems were cited as being traffic congestion, inconsiderately parked vehicles, and a perception that it is unsafe to cycle. The most commonly requested transport improvements were cycling improvements, improved traffic flow and improved road safety.
- 3.3 The feedback received through the initial consultation along with officers detailed knowledge of Lewes Road was used to develop more detailed scheme proposals which formed the basis of the second stage consultation. The proposals comprise the following key elements:
- Bus & Cycle Lane in both directions on the dual carriageway section of Lewes Road
  - Improved pedestrian and cycling facilities at The Vogue Gyrotory.
  - Removal of parking bays (approx 50 spaces) on the east side of Lewes Road between Natal Road and the Bus Garage.
  - Improved facilities for pedestrians and cyclists at the junctions of Saunders Park View and Coombe Road
  - Widened shared cycle & pedestrian path adjacent to Lewes Road north of Coldean Lane.
  - Enhanced cycle network in the north of the area with improved signage and access to Brighton and Sussex University Campuses as well as the AMEX Stadium.
  - 30mph speed limit extended northwards to the A27 at Falmer (currently 40mph).

#### **Second Stage Consultation**

- 3.4 A second stage of public consultation on the detailed proposals was held in April & May 2012. Information leaflets and questionnaires were mailed to 31,190 residential and business addresses with a prepaid envelope included for a reply. Included in the mail out were 1000 consultation packs to random city-wide addresses due to the potential city wide impact of the proposals. A further 2069 packs were delivered to Brighton University who have sites and Halls of Residence in the area and similarly 3356 were delivered to Sussex University.
- 3.5 Nine exhibitions were held in local community centres and other venues throughout April and May 2012 and a further four exhibitions were held at

University sites. Exhibitions were held on every day except Sunday from 8 am to 8 pm and BHCC staff were present at every event. The consultation was also advertised on BHCC's website, in the Brighton Argus and in the council's City News publication which is delivered free to most households in the city. Links to an on-line version of the questionnaire were also published in the Argus, City News and also on the council website's homepage.

- 3.6 4166 responses were received in total, with 652 of these (16%) received on-line through the council's consultation portal and 3514 (84%) were survey forms returned by mail or collected at public exhibitions. A significant majority of respondents were local residents (82%), while 16% indicated they work in the area and 7% were students.
- 3.7 In response to question 1, 65% (3534) of respondents supported the proposed changes to the Vogue Gyratory. In response to question 2, 63% of respondents supported the introduction of a bus and cycle lane along both sides of the Lewes Road. In response to question 2a, almost 81% (2112) of those who support the bus & cycle lane stated a preference for a separate bus & cycle lane as opposed to a combined facility.
- 3.10 Question 3 provided space for additional comments. The most frequent comment made by those in support of the changes was that the proposals would make conditions safer for cyclists and would therefore encourage more people to cycle. The most frequent comment made by those who did not support the changes was that the proposals would create more congestion and that they are anti-car.
- 3.11 Given the high level of support for the proposals amongst respondents, the recommendation on 2<sup>nd</sup> October 2012 in the report to the Transport Committee Meeting was to proceed with advertising of the TRO for the Lewes Road Bus & Cycle lane element of the scheme. Officers recommended that further design and modelling work be undertaken on proposals for the Vogue Gyratory to ensure the scheme would not result in excessive levels of congestion on the northbound approach to the junction.

#### **4. CONSULTATION**

- 4.1 The draft Traffic Regulation Order (TRO) was advertised on 9<sup>th</sup> October 2012 with the closing date for comments and objections on 30<sup>th</sup> October 2012.
- 4.2 The Ward Councillors for the areas were consulted, as were the statutory consultees such as the Emergency Services.
- 4.3 Notices were put on street for 9<sup>th</sup> October 2012 which outlined the proposal and after a week any missing notices on-street were replaced. The notice was also published in The Argus newspaper. Detailed plans and the Traffic Regulation Order were available to view at Hove Library, Jubilee Library, the City Direct Offices at Bartholomew House and Hove Town Hall. A plan detailing the proposals is shown at Appendix A.
- 4.4 The documents were also available to view and to respond to directly on the Council website.

- 4.5 In total, 49 items of correspondence were received in response to the 3 TROs (hard copies are available to view in the Members Room). Very few responses were specific about which TRO item they referred to, and where this is the case it has been assumed that the response refers to all 3 TROs. The comments / objections are listed in Appendix B.
- 4.6 20 items of correspondence were received in support of the proposals, while the remaining 29 items of correspondence were objections to the proposals. It should be noted that the balance of support or objection to a TRO is not a measure of the overall level of support or opposition towards a scheme. The extensive public consultation conducted previously provided this opportunity and as noted, the results suggested a strong level of support for the scheme. This strong level of support has been accepted by the Transport Committee at its previous meeting on 2<sup>nd</sup> October 2012, where cross-party support was given to proceed to the next stage of the process, namely advertising of the TRO.
- 4.7 Those who have written in support of the TRO include the University of Brighton, Brighton & Hove Albion Football Club, Brighton Area Buswatch, Bricycles, the Cyclists Touring Club (CTC) and Brighton & Hove Friends of the Earth.
- 4.8 Those who have written in objection to the TRO include the 3 Ward Councillors for Moulsecoomb and Bevendean, the Moulsecoomb Local Action Team (LAT), the North Moulsecoomb Tenants and Residents Association, and two businesses located on Lewes Road. The remainder were submitted by individuals.
- 4.9 The correspondence that stated an objection to the TRO has been reviewed in order to understand the various reasons behind the objections. Included within the 29 items of correspondence that state an objection are 18 different issues. The number of times each issue has arisen is indicated below along with a response to each issue.
- 4.10 21 objections provided no specific reason or simply objected to the principle of the scheme (i.e. giving priority to buses / cyclists).
- 4.11 Whilst the results of the previous consultation demonstrated a significant level of support for the proposals, it also highlighted the fact that some people are strongly opposed to the scheme and the principles that underlie it. However, the majority of respondents are in favour of the proposals and this provides a full mandate to continue with implementation of the scheme as originally proposed.
- 4.12 6 objections related to the amount of congestion that would be caused by the scheme and the corresponding negative impact on journey times for general traffic, either on Lewes Road itself or on adjoining side roads.
- 4.13 The citywide transport model has been used to predict the impact of the scheme on general traffic journey times and hence congestion. Although any results from modelling in general should be considered as a guide only, the model suggests there will be relatively minimal impact on journey times. In a southbound direction, the model suggests journey times would be increased by around 2-3 minutes over the whole distance between Falmer and the seafront. In a northbound direction, the model suggests a journey time increase of between 4 – 5 minutes. These increases would only be recorded in the AM and PM peak

periods and outside of these periods it is envisaged there would be very little, if any, impact on general traffic journey times.

- 4.14 With specific reference to side roads, queue length surveys before and after scheme implementation would be undertaken to ascertain if any increase has occurred. 'Keep Clear' markings would also be provided across all significant side road entry points to ensure any queuing traffic does not block exits from these routes.
- 4.15 5 objections related to a perceived reduction in air quality that would result from the scheme.
- 4.16 The scheme is predicted to significantly reduce the amount of traffic using Lewes Road but it is recognised that air quality is influenced by a number of factors and often the total count of vehicles is not the most important variable. The mix of vehicles using the road, particularly the number of large diesels or older vehicles, as well as the proximity and height of adjacent buildings all have an impact on roadside air quality. Significant increases in vehicle queue durations or decrease in the distance between vehicles and the building line has the potential to be adverse for air quality within ten metres of the traffic lane.
- 4.17 Air quality issues within Brighton & Hove are generally found where a tall street canyon exists (i.e. the city centre) and constantly accelerating diesels. Air quality problems generally exist within 10 metres of the road kerb with most within six metres. Such conditions exist in the area immediately north of the Vogue Gyratory where approximately 60 residential-commercial premises are located within five metres of the kerblines and the area is therefore included within the Air Quality Management Area (AQMA). These properties may be sensitive to any increase in queue duration, however it is noted that the general traffic lane will be moved further away from these properties by the introduction of the bus and cycle lane which at this point will be 5 metres wide. Furthermore, the results of the transport modelling suggest that significant additional delay to general traffic is unlikely in any case. The layout of the area further to the north of the corridor, beyond the University of Brighton, is very open in nature with very few properties located directly adjacent to the carriageway, and therefore it is considered highly unlikely any air quality problems would result.
- 4.18 Two air quality monitoring sites are located within the AQMA immediately to the north of the Vogue Gyratory at Coombe Terrace and Pelham Terrace. The readings from these sites will be monitored to ensure pollution levels do not significantly increase following implementation.
- 4.19 5 objections were that vehicles would seek alternative routes to avoid the congestion caused on Lewes Road, either by rat-running through residential areas or by using alternative routes into the city.
- 4.20 A lack of continuous parallel routes either side of Lewes Road suggests rat running is unlikely to be an issue. The transport modelling undertaken as part of the scheme suggests relatively modest amounts of traffic may be redistributed across other alternative routes in and out of the city but any changes in traffic volumes on these routes will be monitored as part of the post implementation monitoring regime and measures taken to address this should it become an issue.

- 4.21 3 objections were in relation to the negative economic impact the scheme would have on the area or the city centre
- 4.22 The principle of the scheme is to maximise the movement of people along the Lewes Road corridor by prioritising those forms of sustainable travel that can accommodate the greatest number of people relative to the amount of road space utilised. This is a more efficient use of the available road space. Modal share surveys undertaken on Lewes Road indicate that the number of people travelling by bus or cycle is far in excess of those travelling by private car and therefore prioritising these modes will result in benefits for the greatest number of people. It is a common misconception that maximising the number of vehicles travelling along a route will result in the greatest economic benefit.
- 4.23 3 objections related to the removal of parking on Coombe Terrace.
- 4.24 Some essential short term parking, loading provision, disabled parking and taxi ranking has been retained outside the Coombe Terrace shops to ensure the shops can receive deliveries and customers can use short term parking to access the shops and services provided in this area. Parking surveys undertaken on the remaining areas suggest that much of the parking is utilised by long term parking associated with the University of Brighton or other premises in the area. Retention of the parking in this area would present an ongoing safety concern for cyclists and would prevent a continuous bus lane being provided in this area, which is an area of considerable delay for buses under the existing arrangements.
- 4.25 3 objections suggested that the scheme would result in more accidents.
- 4.26 Reducing the speed and volume of traffic is unlikely to result in more accidents and indeed the reverse is likely to be true. The scheme design will be subject to a two stage independent safety audit and any recommendations arising from this will be incorporated into the final designs.
- 4.27 3 objections related to the impact on emergency and non-emergency vehicles, i.e. patient transport.
- 4.28 Emergency vehicles will be able to use the bus lane and therefore journey and response times would be expected to improve. In relation to patient transport, any vehicle carrying more than 8 passengers would be permitted to travel in the bus lane, thereby improving journey times for such vehicles.
- 4.29 2 objections insist the scheme is based on inaccurate or out of date traffic data.
- 4.30 A range of data has been used in development of the scheme with the most recent being collected on October 2012. All data used in the development of the scheme is entirely valid.
- 4.31 2 objections are based on the perception that the consultation process was flawed.

- 4.32 The consultation process was extremely comprehensive and the results presented publicly in an unbiased and fair manner. 32,000 consultation packs were distributed over a wide area and 13 exhibitions held giving those interested parties ample opportunity to comment and record their views. The consultation was an example of good practice with the highest recorded response of any other comparable exercise conducted by the city council.
- 4.33 1 objection was based on the fact that future developments would lead to a further increase in traffic and congestion.
- 4.34 Future developments, in particular Preston Barracks, are likely to come forward at some point in the future and may result in an increase in people travelling along the corridor. However, this would be the case whether or not the scheme was to go ahead. With a scheme in place that prioritise use of more sustainable forms of transport such as walking, cycling and public transport, it is likely that any increase in trips arising from new developments could be accommodated on these modes instead of in private vehicles, thereby reducing the overall impact. In addition, any transport assessments undertaken as part of the planning process for potential new developments would be based on the post implementation capacity of Lewes Road.
- 4.35 1 objection insisted that information provided at the 2<sup>nd</sup> October Transport Committee was misleading or inaccurate, particularly with regard to the benefits and disbenefits of the scheme as predicted through the transport modelling that has been undertaken as part of the design work.
- 4.36 At no time has misleading information been presented to the Transport Committee. With specific reference to the transport modelling work that is being undertaken as part of the scheme design, this is an ongoing process and was widely discussed at the 2<sup>nd</sup> October Transport Committee, including the impact of any redistributed traffic. The modelling process is still ongoing and is being refined as the design of the scheme progresses to ensure it accurately reflects the final scheme. Officers are confident that the stated benefits will be realised, however, there are a further range of non-quantifiable benefits that the model does not take into account and these form a further part of the rationale for the scheme.
- 4.37 With regard to the article that appeared in the Argus newspaper on 5<sup>th</sup> November 2012, suggesting that only 1% of drivers would switch to public transport, the information provided was not given in the correct context and omitted several key issues. Firstly, it is widely accepted that transport models under estimate the degree to which modal shift to public transport will take place, and secondly, they do not take account of any possible modal shift to walking and cycling. Transport modelling is used in the industry as a guide to the possible impacts of a transport scheme. It does not provide definitive answers and should be used in the context of experience and case studies of other similar schemes, hence the comparisons with the A259 bus lane scheme.
- 4.38 1 objection relates to the fact an economic assessment of the scheme was not undertaken.

- 4.39 It is only necessary to undertake a full economic assessment when applying for Department for Transport (DfT) Major Scheme funding, which is not the case in this scenario.
- 4.40 1 objection relates to several detailed design issues that were included on the plans advertised as part of the TRO process
- 4.41 The design work has been undertaken jointly by the Council's Highways and Engineering Team and a specialist transport consultancy with many years experience of developing similar schemes. The council is therefore confident that the final scheme will be designed to a very high standard.
- 4.42 1 objection relates to the extension of the 30mph speed limit
- 4.43 The existing 30mph speed limit that extends as far north as Moulsecoomb Way was put in place following the city wide review of speed limits. By changing the nature of the road north of this point to single lane it will be entirely appropriate to introduce a 30mph speed limit to cover the extent of Lewes Road. It is envisaged this will have a positive effect in reducing the number and severity of collisions occurring on Lewes Road.
- 4.44 1 objection relates to the lack of loading facilities outside the Brighton Electric Recording Company building on Coombe Terrace.
- 4.45 It is acknowledged that some loading capacity would be of benefit in this area. Officers will therefore revise the scheme design accordingly to incorporate a loading facility for up to two vehicles in this area. The proposed bus stand will be shortened in length accordingly.
- 4.46 1 objection relates to a perceived increase in noise that will result from the scheme.
- 4.47 As traffic levels are predicted to decrease following implementation, it seems unlikely that an increase in noise would occur.
- 4.48 The final objection relates to the negative impact of the roadworks during construction of the scheme.
- 4.49 It is inevitable that some disruption will occur during implementation of the scheme. However, considerable thought will be given to the phasing of works to ensure that this is kept to an absolute minimum. Regular communications with local residents and businesses will also be maintained throughout construction to ensure people are kept informed of developments.

## **Conclusions**

- 4.50 The recommendation is that the scheme should be progressed in its entirety due to the reasons outlined within the relevant background and consultation responses.

- 4.51 Any additional amendments to the approved schemes deemed necessary through the formal consultation will be introduced during the implementation stage and advertised through a traffic regulation amendment order.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The costs associated with the implementation of the measures outlined in the report will be largely met from the existing Local Sustainable Transport Fund.. Over the remaining 3 years of the project, to 2014/15, there is £0.550 million in capital funding and £0.150 million in revenue funding identified specifically for the Lewes Road scheme.
- 5.2 Additional capital funding of £0.250 million has been allocated from the 2012/13 Local Transport Plan budget with the same amount indicatively allocated for 2013/14. A further £0.100 million has been indicatively allocated for 2014/15.

*Finance Officer Consulted: Karen Brookshaw Date: 01/11/12*

### Legal Implications:

- 5.3 The Traffic Orders have been advertised according to the Road Traffic Regulation Act 1984 and the relevant procedure regulations. As there are unresolved objections and representations they are now referred to this meeting for resolution.

There are no human rights implications to draw to Members' attention.

*Lawyer Consulted: Carl Hearsom*

*Date: 01/11/12*

### Equalities Implications:

- 5.4 The scheme will be designed in line with industry best practice and guidance to ensure all facilities are fully accessible to all members of society.

### Sustainability Implications:

- 5.5 The measures outlined in this report will assist in meeting One Planet Living objectives by promoting and encouraging greater use of sustainable transport, and particularly overcome current barriers to walking, cycling and bus use. It is predicted that significant reductions in travel by private car would result from implementation of the schemes, with people instead choosing to travel by walking, cycling or bus due to their increased attractiveness and viability made possible through the improvements identified. The scheme will seek to enhance health by encouraging active travel amongst local people and reducing the causes of air pollution along the corridor, namely excessive levels of motorised traffic.

### Crime & Disorder Implications:

- 5.6 There are no Crime & Disorder implications arising directly as a result of this report.

Public Health Implications:

- 5.7 Increasing the number of pedestrians and cyclists and encouraging greater use of public transport will directly lead to improved public health through increasing the use of active modes and therefore the amount of exercise undertaken by local people. Reducing the number of people travelling by private vehicle will also lead to an improvement in air quality which in turn will improve public health.

Corporate / Citywide Implications:

- 5.8 Lewes Road is a key route into the City and therefore the citywide transport model is being utilised to fully understand and address any potential impacts on strategic traffic flow.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The only alternative option at this stage is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report, and due to the strong level of support during the public consultations.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To seek approval to proceed to implementation of the Lewes Road Scheme after taking into consideration of the duly made representations and objections. These proposals and amendments are recommended to be taken forward for the reasons outlined within the report.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Appendix A - Lewes Road Scheme Plan
2. Appendix B - List of Objections / Comments

### **Documents In Members' Rooms**

1. Objections / representations.

### **Background Documents**

1. Item 43 - Environment Cabinet Member Meeting Report – 9<sup>th</sup> November 2011
2. Item 102 – Environment, Transport & Sustainability Report - 29 March 2012

