

Subject:	Active Travel Fund ETRO – A259		
Date of Meeting:	16th November 2021		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	James Hammond	Tel: 01273 294 643
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Ward(s) affected:	All		

FOR GENERAL RELEASE.**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report outlines the consultation feedback from an Experimental Traffic Regulation Order (ETRO) that amended parking and waiting restrictions and introduced a cycle lane on the south side of Kings Road and Kingsway.
- 1.2 The ETRO was introduced on Friday 24th July 2020, the scheme went live on the 16th August 2020 and a further amendment was then introduced to remove the section between the Palace Pier and West Street on the 27th August 2020. The remaining section has been carefully monitored since its first introduction for which details have been included in this report.
- 1.3 Nationally, central government released their 'Gear Change' vision document in July 2020 which sets out the national ambition to make walking and cycling the natural choice for short journeys, or as part of a longer journey. Accompanying this is Local Transport Note 1/20 (LTN 1/20) which sets out a step change in how Local Authorities must deliver cycling improvements. These documents were subsequently utilised when reviewing the experimental scheme and in making the recommendations in this report.
- 1.4 Therefore, the purpose of this report and recommendations is to report on the results of the objections and feedback from the ETRO and present findings from the monitoring in this area.

2. RECOMMENDATIONS:

- 2.1 That the committee agrees to make permanent the current A259 Phase 1 cycle lane Experimental Traffic Regulation Order.
- 2.2 That the committee agree that Officers develop options for a permanent scheme to replace the temporary infrastructure, and to consult on those options which will be brought back to a future committee.

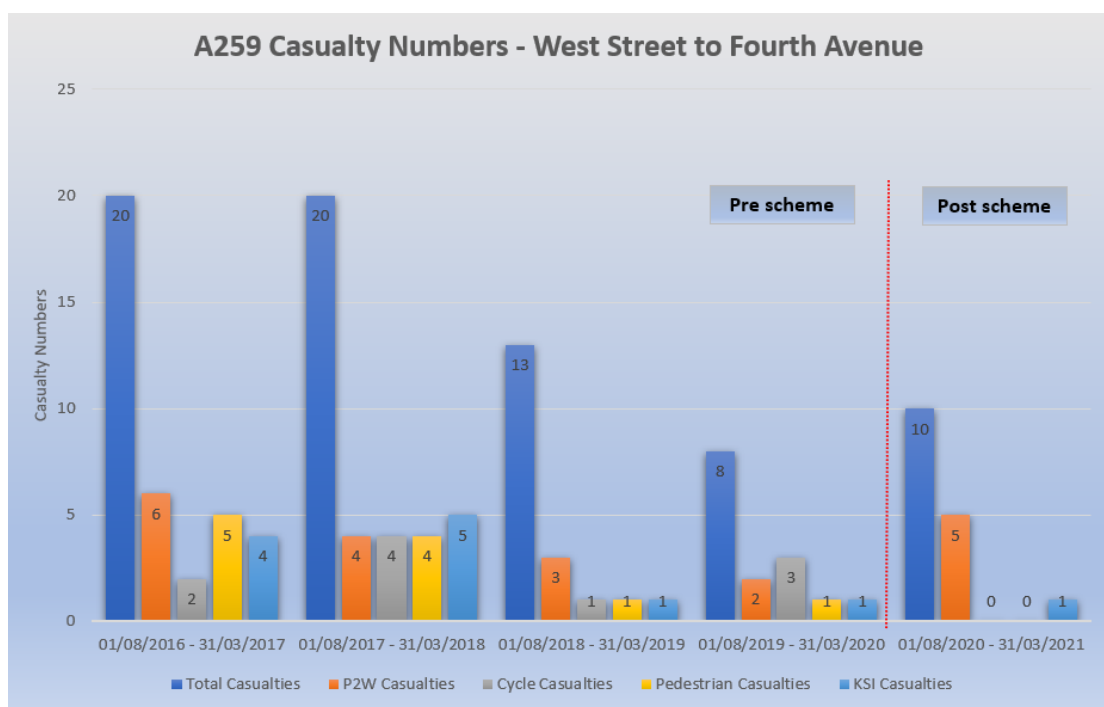
3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Government published its Gear Change Cycling Strategy and Cycle Infrastructure Design Guidance (LTN 1/20) last year. Active Travel Funding was made available to help local authorities in beginning to implement this. As part of this project additional cycle facilities were introduced along the seafront to bring the existing cycle lane into line with the new nation standards.
- 3.2 Locally, the new Local Transport Plan 5 (LTP5) is being developed and is currently in consultation stage with objectives to support access around the City more safely, sustainably, and easily. The initial direction of travel document ('Developing a new Transport Plan for Brighton & Hove') was presented to the ETS Committee on 22 June 2021 and the Committee agreed to the vision, key outcomes and principles set out in this document. One of the key principles is shifting how people travel – broadly prioritising walking and cycling for shorter journeys and public transport for longer journeys. The Local Cycling and Walking Infrastructure Plan (LCWIP) is in development and the draft strategic network identifies many strategic and priority routes, including all the routes being taken forward in the Active Travel Fund. The LCWIP will set out the strategic network for walking and cycling and will assist the Council in seeking funding for improvements.
- 3.3 In addition, the Council has committed to being net carbon neutral by 2030, the Carbon Neutral Programme identifies the transport sector for the largest share of the required cut in carbon emissions in the City, and includes a key action to develop a public realm which enables active travel.
- 3.4 Recommendations of the recent citizens' Climate Assembly noted a representative group of residents' own suggestions for improvement. These included 'cyclists should be prioritised over cars through well-designed cycle networks that are safe and practical for day-to-day use as well as leisure' and the "creation of healthier low traffic/pedestrianised communities".
- 3.5 A temporary westbound cycle lane has been in place on the seafront (between West Street and Fourth Avenue) since August 2020 to provide additional safe space for cycling in this key location. Eastbound cyclists continue to use the existing cycle lane shared with the pavements / promenade and via King's Esplanade.
- 3.6 As this scheme was put in place using an ETRO, from July 2020 to March 2021 a public feedback survey was put in place via the Council's TRO website, in order to collect feedback from the public which the detail of is outlined below in this report.

4. ANALYSIS OF MONITORING

- 4.1 Officers have been closely monitoring the A259 since the initial changes were put in place in August 2020 this data has been collected and is assessed below for consideration as part of this scheme.
- 4.2 Before implementation of the scheme average daily count figures of cyclists for March 2018 were 1,400 , after implementation data taken in March 2021 shows an average daily figure of 2,119. This equates to an increase of 51.3% (719) along the section where the scheme has been implemented

- 4.3 The introduction of the cycle lanes has shown an immediate increase in cycling as outlined above using data collected in March, which is considered a neutral weather month, however if we look at more warmer times of the year such as June we see an even more significant increase in usage. In June 2019 the average daily cycling figures were recorded at 2,641. Post installation of the new lanes in September 2020 this increased by 30% to 3,436 and in June this year we see a baseline increase of 85% to 4,897.
- 4.4 The scheme has been in place for the months August 2020 – March 2021, in April the A259 underwent significant resurfacing works and all of the road was displaced temporarily while the resurfacing works were undertaken, therefore only these calendar months (August - March) have been considered for the requisite road casualty analysis.
- 4.5 *Table 1 - Casualty numbers by mode around scheme.*



- 4.6 Early signs from the casualty data analysis are positive and no casualties involving pedestrian or cyclists were recorded between August 2020 and March 2021. However, casualty data would need to be reviewed over a longer period before any definitive conclusions can be made and will need further monitoring in post pandemic traffic conditions due to current traffic levels still fluctuating due to the pandemic. However, this is encouraging data and this taken alongside the significant increase in cycling in the area is initially indicative towards an improvement of overall road safety in the scheme area.
- 4.7 During video surveys undertaken in September 2020, approximately 80% of westbound cyclists were observed to use the new on carriageway facility. Those remaining on the promenade were observed more often to be more inexperienced cyclists (recreational/hire bikes, young families) or cyclists travelling to and from seafront destinations (e.g. i360).

- 4.8 In order to address this issues we will be:
- Making improvements to the West Street ramp (as outlined in Appendix A)
 - Changes to signage
 - removal of redundant markings

this feel that this will further encourage further usage, provide additional safety benefits and encourage more people to use them correctly and minimise the problem outline in section 4.6. However, the data indicates that a large majority of westbound cyclists already choose to make use the new facilities, but officers will continue to monitor the situation.

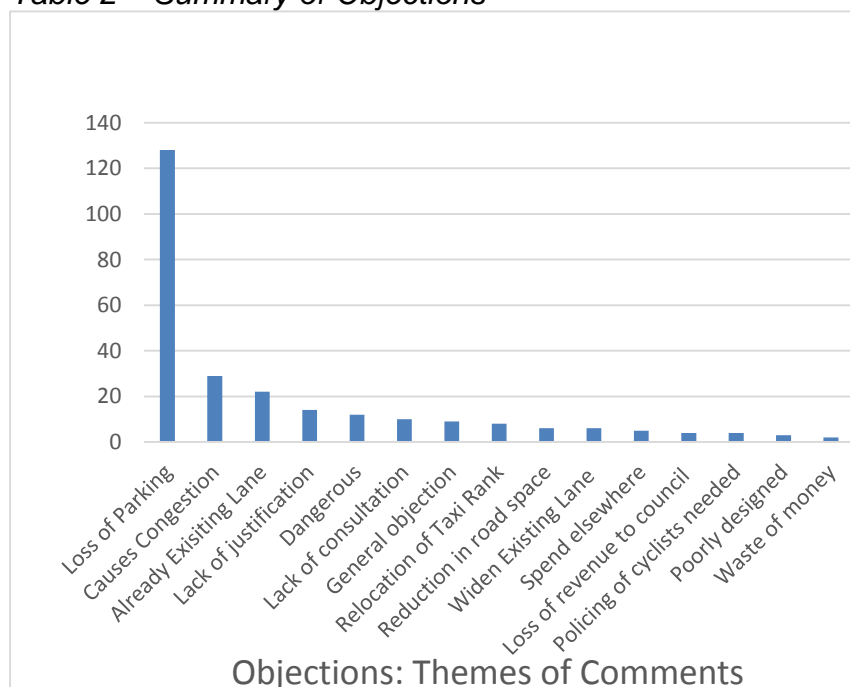
5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 A feature of the public ETRO responses was that there was a large influx of responses when we initially invited feedback from the public, with 235 of the 245 responses received in the first 6 weeks. The scheme went live between 16th August and 27th August 2020 and in response to the initial feedback the eastern section between the Palace Pier and West Street was removed on 27th August 2020.

5.2 After the removal of the easter section on the 27th August, we received only an additional 9 comments as part of the ETRO consultation. This high number of responses in the early weeks of these schemes correlates with a settling down period, often seen when changes are made to the highway and road users are taking time to get used to a new layout. It is also worth noting the sudden drop off in comments submitted after the eastern section was removed.

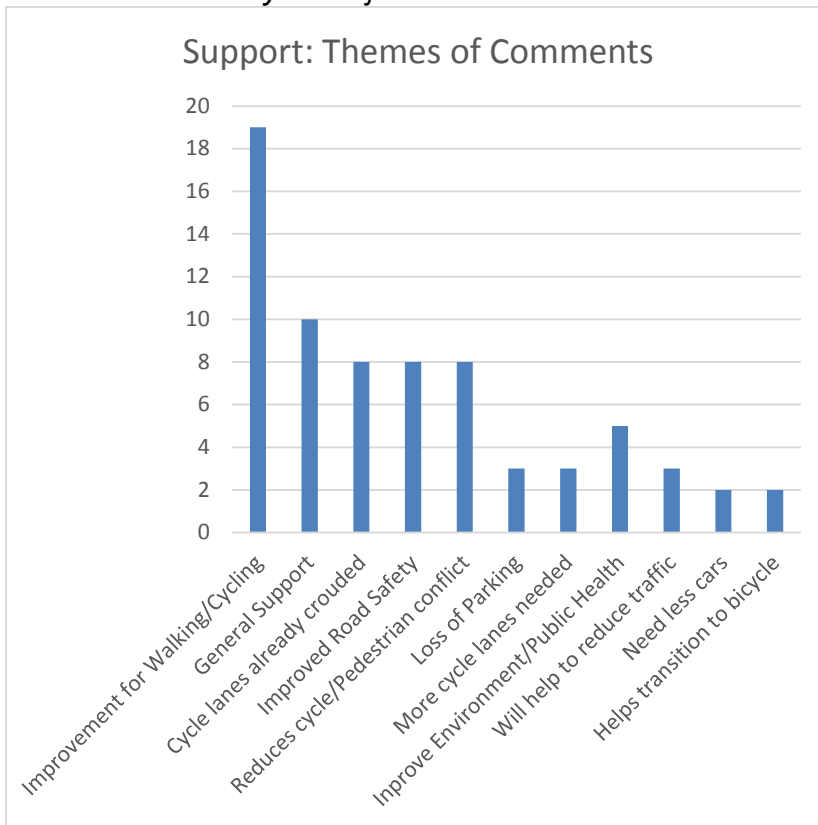
5.3 Of the 245 responses 197 were objections (Table 2) and 52 were supportive (Table 3) of the scheme. By an overwhelming number the main concern from objections was the loss of parking especially in the M and N Controlled Parking zone. The next biggest concern was an increase in congestions.

Table 2 – Summary of Objections



- 5.4 128 objectors had concerns for loss of parking and 1 objector to the loss of disabled parking. The cycle lane is crucial in aiding those who travel actively to access/travel through this area. Providing this type of infrastructure is key to assist in modal shift from vehicle to active travel and removing some parking in the area was essential in order to facilitate these changes in the road layout. As outlined above the analysis of the cycle lanes has shown an increase in cycling by 85% in June 2021, when compared to data before the cycle lane's introduction in June 2019 which shows a suppressed demand for these facilities.
- 5.5 While there has been no loss of dedicated disabled bays along the length of the scheme, Officers have been working with local disabled group representatives and are introducing a TRO to increase the number of disabled parking bays by 5.
- 5.6 29 objectors stated the cycle lane is causing an increase in congestion. There is significant evidence that cycling can reduce congestion and journey times of other road users, particularly in urban areas. More people can move more efficiently in less space where good quality cycle lanes are built and allows people to switch to cycling as an alternative to the car and to do so safely. This however won't be seen as soon as a cycle lane is installed, as behaviour change does not happen immediately and there is always a natural adjustment period. However, the data shows there has already been a marked increase in people choosing to cycle along the improved route.
- 5.7 22 objectors stated that there is already an existing cycle lane, 14 objectors stated there was a lack of justification for an additional cycle lane and 6 objectors stated the existing lane on the promenade should be widened instead. In consideration of widening and using the existing lane the promenade does not have enough space to widen the two-way cycle lane to new national standards as outlined in LTN1/20 without taking out significant and highly used footway. It would also likely only further increase pedestrian and cycle conflict and it is officer opinion based on data analysis that the use of the carriageway is the safer and more effective option until a permanent solution can be found.

5.8 Table 3 - Summary of Objections



5.9 17 objections and 18 comments of support were made regarding themes of safety of the cycle lane. Of these, ten objectors state the cycle lane is dangerous and 8 comments of support state road safety has improved. Other objectors say the cycle lane is confusing and poorly designed. Initial data has recorded lower levels of casualties and indicates the road becoming safer since implementation, the reasons for concern are likely to be unfamiliar road design, however officers are continually working towards improving this lane to aid all modes of road users and has made recommendations for signage and design improvements (as outlined in Appendix A).

5.10 There were 8 comments of support stating that the existing cycle lanes were too busy, by creating the westbound cycle lane we have created additional space for cyclists in both directions and have as a result seen a significant increase in numbers using the lanes and this is likely to a suppressed demand in the area.

5.11 In the support comments 18 related to support for the improvement in safety, reduced conflict between modes of travel and makes side mention to the current design being poor. 7 comments of support related to environmental and health which raised issues such as need to address climate change and helping people to transition out of car to bicycles. There were 9 general objections and 29 general support comments.

6. CONCLUSION

6.1 This report sets out clear advantages to the public to make Phase 1 of the A259 Active Travel Fund cycle lane scheme permanent. With further improvements to the existing area and additional connections to be investigated, this route is likely

to only increase in usage and remain to be a safe and sustainable option for travelling by cycling along the A259.

- 6.2 This will further help towards delivering high-quality infrastructure and is likely to significantly improve road safety conditions in the area should the identified patterns continue. The recommendations therefore are to make the changes made, as part of the A259 Phase 1 cycle lane Experimental Traffic Regulation Order, permanent.
- 6.3 Then for Officers to begin work to develop detail design options for a permanent scheme to replace the temporary infrastructure which will be brought back to a future committee.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications arising from the recommendations of this report.

Finance Officer Consulted: James Hengeveld *Date: 02/11/21*

Legal Implications:

- 7.2 A traffic authority has power to make an experimental traffic order (ETRO) under section 9 of the Road Traffic Regulation Act 1984. An ETRO is similar to a permanent traffic regulation order in that it imposes traffic and parking restrictions and can contain any provision which could be contained in an ordinary traffic regulation order. An ETRO can only stay in force for a maximum of 18 months while the effects of the traffic and parking restrictions are monitored and assessed (and any changes made if necessary). The traffic authority can then decide whether or not to continue the ETRO on a permanent basis.

Lawyer Consulted: Hilary Woodward *Date: 2/11/21*

Equalities Implications:

- 7.3 Statutory guidance from Department for Transport (DfT) updated in February 2021 reiterates that the public sector equality duty continues to apply as Local Authorities make changes to their road networks in response to Covid-19. The Council must ensure that elements of a scheme do not discriminate, directly or indirectly, and must consider their duty to make reasonable adjustments anticipating the needs of those with protected characteristics. The guidance emphasises that groups representing disabled people and others with protected characteristics should be consulted at an early stage of scheme development and accessibility requirements apply to both temporary and permanent measures.
- 7.4 DfT's Local Transport Note 1.20 (LTN1/20) which sets the standards for cycling design, and which Local Authorities receiving the Active Travel Fund Tranche 2 funding must abide by, states: (4.5.11): Local authorities are bound by the Equality Act 2010 in discharging their functions, which includes managing their

road networks. Designers should provide infrastructure that is accessible to all, and the dimensions and other features set out in this guidance should help ensure that their designs comply with the Public Sector Equality Duty.

- 7.5 Officers have conducted an Equality Impact Assessment (EqIA) in June 2020, as is standard with proposed alteration to the public highway. This EIA was updated in November 2021, in order to support this report which can be found in Appendix C. An action carried out as a result of a previous EqIA and also in this one officers have continued to work with local disabled group representatives and are introducing a TRO to increase the number of disabled parking bays by 5.

Sustainability Implications:

- 7.6 The measures will improve the transport network for sustainable modes of transport by reallocating road space. This will give opportunities for more people to switch to low carbon modes of transport from single occupancy car use.

Brexit Implications:

- 7.7 No direct implications.

Any Other Significant Implications:

- 7.8 None identified

Crime & Disorder Implications:

- 7.9 No direct implications.

Risk and Opportunity Management Implications:

- 7.10 A risks Register is maintained and updated regularly to manage risk and looks at way to turn them into opportunities.

Public Health Implications:

- 7.11 Enabling greater uptake of active travel across the City will provide both short and long term benefits to the mental and physical health of our residents. This approach supports the implementation of the Brighton & Hove Health and Wellbeing Strategy.

Corporate / Citywide Implications:

- 7.12 The measures will support the vision, key outcomes and principle of the new Local Transport Plan 5, as agreed by the ETS Committee on 22 June 2021.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Proposed Alteration to the Shelter Hall Junction Ramp

2. Appendix B – Full Summary of Consultation Comments
3. Appendix C – Equality Impact Assessment

Background Documents

1. Brighton & Hove City Council – [Local Transport Plan 5](#)
2. Brighton & Hove City Council – [Local Cycling and Walking infrastructure Plan \(LCWIP\)](#)

