

Transport and Environment Committee

10.00am, Tuesday, 21 March 2017

Bus Lane Network Review – Objections to the Traffic Regulation Orders

Item number	7.7
Report number	
Executive/routine	Executive
Wards	All

Executive Summary

In its latest Local Transport Strategy, the Council states that it will continue to maintain Edinburgh's bus lane network, review it regularly and extend or enhance it where opportunity arises.

At the meeting on the [1 November 2016](#), the Council agreed to implement Traffic Regulation Orders to replicate Experimental Traffic Regulation Orders which expire on 27 March 2017.

This report details the objections to these Traffic Regulations Orders and recommends that the objections be set aside.

Links

Coalition Pledges	P19
Council Priorities	CP11
Single Outcome Agreement	SO4

Bus Lane Network Review – Objections to the Traffic Regulation Orders

1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 notes the objections received to two advertised Traffic Regulation Orders (TROs) and the Council comments in response;
 - 1.1.2 set aside the objections and gives approval to Traffic Regulation Order TRO/16/87A which permits motorcycles to use the bus lanes during operational hours; and
 - 1.1.3 set aside the objections to TRO/16/87B which alters the operating times of the all day bus lanes, converting them to peak hour operation.

2. Background

- 2.1 A report to Committee on [26 August 2014](#) summarised the Council's review of bus lane operational hours and the classes of permitted vehicles.
- 2.2 On [2 June 2015](#), Committee gave approval to make two Experimental TROs to convert 24 hour bus lanes to peak hour operations only and to permit motorcycles to use with-flow bus lanes during their operational hours.
- 2.3 On [1 November 2016](#), Committee noted the results of the trial of these Experimental TROs and recommended that the statutory process be commenced, with a view to making a permanent change to the substantive TRO, to be implemented after the experimental orders have expired.

3. Main report

- 3.1 The two TROs for amending bus lanes in Edinburgh were advertised between 2 and 23 December 2016:
 - TRO/16/87A – permitting motorcycles to use with-flow bus lanes; and
 - TRO/16/87B – changing all day bus lanes (7.30am -6.30pm, Monday to Friday and 8.30am -6.30pm Saturday) into peak periods bus lanes (7.30am – 9.30am and 4.00pm-6.30pm, Monday to Friday).

- 3.2 In response to the street notices and advertisements of these TROs, two objections have been received. A copy of these objections have been included within Appendix 1.
- 3.3 The first objection was from Spokes and Living Streets, which was to reiterate their objections provided in a joint submission to Committee on the 1 November 2016, when the recommendation to commence the statutory procedures was agreed.
- 3.4 This joint submission was considered by Committee on 1 November 2016 and the decision was made to set aside their objections.
- 3.5 The concerns of the second objector have been summarised below:
- That motorcyclists often ignore advanced stop lines and as a consequence they should not be given any additional benefits until they obey the current rules.
 - That allowing motorcyclists to use bus lanes is counter to their intended use for public transport.
 - That motorcycles cause as much of an obstruction to cycles overtaking as a four wheeled vehicle.
- 3.6 Considering that these proposed orders are not amending the purpose and use of advanced stop lines, the transgression of their use by some motorcyclists is not a reasonable objection to prevent all motorcycles from benefitting from the use of with flow bus lanes.
- 3.7 The recommendation to allow motorcycles into bus lanes is based on a review of the conclusions from Transport for London's (TfL) two extensive trials. Following these trials, TfL decided to give motorcycles permanent access to the majority of London's red routes. TfL states on its website that "the safety of motorcycles and other vulnerable road users is unaffected" and "benefits included reduced journey times for motorcyclists and less carbon dioxide emissions".
- 3.8 The monitoring of the trial of allowing motorcycles in bus lanes, covered by the experimental order, did not raise any concerns with motorcycles using with flow bus lanes.
- 3.9 During the monitoring of the trial experimental order, the interaction of motorcycles and other vehicles within the lane was monitored and no major issues were identified.

4. Measures of success

- 4.1 Comparison of the before and after data did not identify any significant issues with the experiment to standardise bus lane times and to permit motorcycles to use with-flow bus lanes.

- 4.2 Retaining the peak hour operational hours introduces a single operational category for approximately 90% of the city's bus lane network. This should reduce drivers' confusion with operating hours and reduce the need for any enhanced bus lane signage.

5. Financial impact

- 5.1 The cost to make the TROs is estimated to be around £5,000. This will be funded from the current bus lane Penalty Charges Notices' revenue.
- 5.2 The existing signage will be retained and no additional signs will be required.

6. Risk, policy, compliance and governance impact

- 6.1 The recommendations in this report do not impact on any existing policies of the Council.
- 6.2 There are not expected to be any health and safety, governance or compliance implications, arising from the proposals set out in this report.

7. Equalities impact

- 7.1 The bus lane proposals may affect cyclists, by reducing the amenity provided by bus lanes.

8. Sustainability impact

- 8.1 Relevant Council sustainable development policies have been taken into account.
- 8.2 The impacts of this report, in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties, have been considered and the outcomes are summarised below:
- reduce carbon emissions as the adjustment/removal of ineffective bus lanes, will improve traffic flow, reduce congestion and carbon emissions thus making a contribution to better air quality in the city; and
 - help to achieve a sustainable Edinburgh because an improved transport system, based on sustainable alternative to the car, will reduce congestion and enable everyone to have the best possible access to jobs and essential services.

9. Consultation and engagement

- 9.1 Consultation was carried out during the Experimental Traffic Regulation Order and the Statutory Consultation was undertaken to make these orders permanent.

10. Background reading/external references

- 10.1 Transport and Environment Committee ([17 January 2017](#)) – Bus Lane Network Review – Outcome of Bus Operator Consultation.
- 10.2 Transport and Environment Committee ([1 November 2016](#)) – Bus Lane Network Review – Outcome of the Experimental Traffic Regulation Orders Trial.
- 10.3 Transport and Environment Committee ([2 June 2015](#)) – Bus Lane Network Review – Objections to the Experimental Traffic Regulation Orders.
- 10.4 Transport and Environment Committee ([26 August 2014](#)) – Bus Lane Network Review.
- 10.5 Transport and Environment Committee ([4 June 2013](#)) – Bus Lane Camera Enforcement Expansion and Bus Lane Network Review.

Paul Lawrence

Executive Director of Place

Andrew Renwick, Senior Transport Team Leader, Public Transport

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11. Links

Coalition Pledges	P19 – Keep Lothian Buses in public hands and encourage the improvement of routes and times.
Council Priorities	CP11 – An accessible connected city.
Single Outcome Agreement	SO4 – Edinburgh’s communities are safer and have improved physical and social fabric.
Appendices	Appendix 1- Objections to the Traffic Regulation Order

Andrew Renwick

Subject: FW: TRO/16/87B – Bus Lanes, change operational hours

From: [REDACTED]

Sent: 08 December 2016 20:50

To: Traffic Orders <TrafficOrders@edinburgh.gov.uk>

Cc: [REDACTED]

Subject: TRO/16/87B – Bus Lanes, change operational hours

I am emailing on behalf of Spokes and Living Streets to object to the above Order.

We have nothing to add beyond the points made in our [joint submission](#) to the Transport and Environment Committee when it decided to promote this Order. We still stand strongly behind those points, which we do not feel were answered satisfactorily at the Committee.

We also repeat our disappointment and concern that [150 separate objections](#) from individuals and organisations were rejected last year when the experimental Order was promoted.

We would be grateful if you would take this email and our above joint submission as our objection to the TRO.

Yours sincerely

[REDACTED]

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** Spokes: spokes.org.uk; twitter.com/SpokesLothian

** Personal: [REDACTED]

** Great sites: badscience.net, 38degrees.org.uk, copenhagenize.com, thebikestation.org.uk, ghgonline.org



Postal address [we have no staff]: St. Martins Community Resource Centre, 232 Dalry Road, Edinburgh EH11 2JG
Website: www.spokes.org.uk Email: spokes@spokes.org.uk Twitter: @SpokesLothian Answerphone: 0131.313.2114

To: Councillors on CEC Transport Cttee

29 October 2016

Dear Councillor

Transport & Environment Committee 1.11.16 - Bus Lane Network Review

Spokes and Living Streets write to express our great disappointment at [the above report](#) and to suggest alternative recommendations rather than making the current experiment permanent.

The report fails to address some crucial issues, and misses some important evidence from the trial. Nor does it recognise and address the disconnect between this proposal and Council transport policies.

1. RECOMMENDATIONS

We ask the Committee to defer a decision on the report's recommendations, pending further analysis and discussion of the issues raised in our letter.

If, however, the Committee feels it must make an immediate decision, we suggest the '7-7-7' solution adopted by Glasgow, after wider consultation than has been the case in Edinburgh, whereby the default timing for bus lanes is 7am-7pm, 7 days a week. The Committee could set this up as a further experiment before taking a final decision.

Nonetheless, we recognise that the Committee is unlikely to agree to 7-7-7, and therefore we suggest a compromise whereby bus lanes would remain peak-only on weekdays but would also operate on Saturdays and Sundays. We note that 63% of respondents in the Council's attitude survey supported this proposal with only 37% against, yet the issue is not discussed in the report or its recommendations - only the bare statistic is reported.

2. RATIONALE AND COMMENTS ON THE REPORT

2.1 Danger to cyclists

The report states clearly that the proposal “*will affect cyclists, by reducing the amenity provided by bus lanes.*” Making cycling conditions worse is contrary to council policy and should only be pursued if there are very clear benefits which outweigh this loss. The report shows no such benefits. Below we give a clear example of the actual dangers, let alone “loss of amenity,” which the proposal brings.

We urge Committee members to watch [this short video](#), sent to us by a cyclist, taken with his headcam – it shows, first, the back view as a car approaches, then the front view as the car overtakes.



In watching the video, note the following...

- ◆ There is no value in the motorist being allowed to use the bus lane – there is plenty space in the main traffic lane, with traffic travelling at a similar speed.
- ◆ The motorist appears more concerned with keeping within the thick white line of the bus lane than with passing the cyclist at a safe distance, in keeping with the Highway Code.

In summary, the video illustrates an entirely unnecessary danger to the cyclist, and the sort of incident which deters people from taking up cycling – the opposite of what Edinburgh wishes to encourage.

2.2 Disbenefits to pedestrians

Whilst the report acknowledges that the proposal reduces cyclist amenity, it does not make the same point for pedestrians, although this is clearly the case and should be corrected in the report. Keeping moving traffic one lane away from the footway greatly improves the pedestrian experience in terms of noise, splashing, pollution and general ambience – as the attitude survey suggests (2.3 below).

Despite an explicit request by Living Streets, no breakdown of the attitude survey is given by age, by mobility handicap, by child accompaniment, by buggy use, etc – although this data was collected. The generalized results, which include many relatively able-bodied adults, may mask traffic barrier and safety problems faced by the more vulnerable. According to Q17, 14% of interviewees reported a disability, and the interviewer noted use of stick, wheelchair, buggy etc - the attitudes of this group would have been of particular interest, even though the sample is not large.

2.3 Cyclist & pedestrian attitudes

Whilst the report presents the findings of the attitude survey in a relatively positive light, a different interpretation is possible. For example, the survey results show a clear view that conditions have deteriorated compared to a year ago, before the experiment began. In nearly all the following questions, 20%-40% of respondents felt that conditions were now worse, compared to just 3%-10% who felt they were better (the remainder not noticing any difference)...

- ◆ Speeding in the bus lane
- ◆ Parking in the bus lane
- ◆ Crossing the street
- ◆ Journeys take longer
- ◆ Feels less safe for cycling
- ◆ Street is worse for walking or cycling

2.4 Bus issues

The Lothian Buses statement includes, *“Bus lanes are an effective mitigation measure for congestion and as such their provision is important in encouraging modal shift to public transport”* and *“The analysis did not show a conclusive effect on transit times but did show a consistent marginal increase.”*

Thus Edinburgh's award-winning bus company clearly states the importance of the bus lane network and reports a *“consistent marginal increase”* in journey times – albeit not a large increase.

Unless the Council can show a major overall benefit to the city from this proposal – which the report patently fails to do – there should be no question of imposing even marginal disbenefit on Lothian Buses.

We also note that Prof David Begg (who introduced Edinburgh's Greenways bus network when he was Transport Convener, and is an expert on public transport) [has recently stated](#), *“When they were first introduced, Edinburgh was the only city in the UK to show a consistent improvement in bus journey times. However, since then bus journey times in Edinburgh have reverted to the UK norm and have been increasing by ten per cent every decade.”* He then warned against making the current experiment permanent *“or congestion will worsen, journey times will increase further and the council will lose out financially because its dividend from Lothian Buses will drop.”*

As a separate but related issue, parking in bus lanes needs effective enforcement. This is a major cause of delay for buses, whilst for cyclists it means moving out of the relative safety of the bus lane and into the main traffic stream – a manoeuvre with which regular cyclists are familiar but which is particularly daunting to the new cyclists that the council wishes to encourage. Possibly a proportion of the Council's dividend from Lothian Buses should be ring-fenced for additional enforcement.

2.5 Car issues

No evidence is presented in the report that the experiment has speeded up car trips or reduced congestion. Indeed, most cars have always stayed out of the bus lanes because of the potential delays resulting from occasional (or frequent) parked cars. Therefore the benefit of allowing cars into bus lanes off-peak, when the main traffic lane usually has more than adequate capacity, is hard to fathom.

Given therefore that bus lanes are vital for buses in the peak, and have no great value for cars in the off-peak, the obvious solution for simplicity and consistency would be the 7-7-7 policy in section 1 above.

2.6 Sustainability impact

The report (para 8.3) states that the reduced bus lanes will cut carbon emissions, congestion and air pollution. No evidence is presented in the report that the experiment has achieved any of these ambitions.

Para 8.3 further states that Edinburgh aims for a transport system “*based on sustainable alternatives to the car.*” Yet this proposal worsens conditions for bus, walking and cycling, all in the name of (though without proof) improving conditions for the car.

2.7 Policy contradictions

Policies and statements in the Council's [Local Transport Strategy](#) include...

- ◆ **PubTrans1:** The Council will presume in favour of giving buses and Trams *priority over other motorised traffic*
- ◆ **PubTrans7:** The Council will continue to maintain the bus lane network, review it regularly and *extend* it or *enhance* it where opportunities arise
- ◆ **Walk1:** The Council will seek opportunities to improve pedestrian facilities
- ◆ **[9.2]:** The attractiveness of cycling is dependent on the degree to which the road network is dominated by motor vehicles.

Cutting weekday bus lane hours, and scrapping Saturday bus lanes, contradicts these policies.

2.8 Public objections

When the TRO to introduce the experiment was approved by the Committee in 2015, Spokes and Living Streets, for legal reasons, were not permitted to have a deputation. We were further disappointed that there was little discussion or consideration by that Committee of the [over 150 written objections](#), including from several community councils, Sustrans Scotland, Transform Scotland and the Scottish Association for Public Transport. In contrast there were no written submissions in support of the TRO.

2.9 Positive aspects

We support the proposal (3.29) in the report to consider cycle facilities within bus lanes – but there is nothing specific and no timescale, and in any case such measures would be less necessary if bus lane hours were not being cut. Furthermore, we would not want staff resources reduced on the Council's planned segregated cycleroutes if that were to be a consequence of this measure.

We do strongly support the proposal (3.30) to make the Calder Road bus lane 24-hour, specifically to encourage more cycle use. This proposal, of course, further reinforces the fact that making other bus lanes peak-hour-only is detrimental to encouraging more people to cycle.

In conclusion, we trust the Committee will consider our points carefully - specifically the recommendations in section 1 at the start of this letter

Yours sincerely

Dave du Feu, Spokes
David Spaven, Living Streets Edinburgh
Stuart Hay, Living Streets Scotland

Andrew Renwick

To: Traffic Orders
Subject: RE: TRO/16/87A – Bus Lanes – permit use by motorcycles

From: [REDACTED]
Sent: 22 December 2016 08:25
To: Traffic Orders <TrafficOrders@edinburgh.gov.uk>
Cc: [REDACTED]
Subject: TRO/16/87A – Bus Lanes – permit use by motorcycles

Dear Sirs,

I wish to comment on the above TRO.

I wish to object to allowing motorcycles into bus lanes at any time and under any circumstances when cars and other forms of transport are not allowed, for the following reasons.

In spite of being a regular cyclist and bus user I am not a fan of bus lanes. Edinburgh has far too many and some of them operate for far too long. However, if we are to have any bus lanes these should operate at peak times on Monday to Friday only and at these time be for the sole use of buses, taxis and cycles only. No other motorised vehicles should be allowed to use them at these times. To have bus lanes which operate at different times and for different kinds of vehicles is confusing and not conducive to smooth traffic flows.

Specifically motorcycles should not be exempt for the following reasons

(a.) As a cyclist I often encounter motorcycles in ‘advanced stop boxes’ where they should not be. While I am not claiming that all motorcyclists are guilty of this I do not believe that we should be encouraging motorcyclists in other ways until they obey the rules which already apply to them.

(b.) I understood that bus lanes were to provide priority for certain types of mass public transport so where is the logic in allowing single, or at best two-passenger, vehicles to get priority over cars and mini-buses which can transport many more people? If road space is at a premium, as it is in Edinburgh due largely to council policies, it should be rationed in favour of vehicles transporting the largest number of people and that is not motorcycles.

(c.) Some may claim that as motorcycles are narrower than other road vehicles they are less of a barrier to legitimate bus lane users. This is not my experience. In general motorcyclists ride in the middle of the lane and so cannot be passed, other than by other two wheeled vehicles, any more than a four wheel vehicle can be passed. Therefore, they cause just as much of an obstruction as four wheeled vehicles and should therefore not be allowed in bus lanes.

Yours faithfully

[REDACTED]

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