

21 January 2016

Petition: Remove the Bus Lane in Bloxwich High Street

Ward Bloxwich East

Portfolios: Councillor Adrian Andrew, Deputy Leader, Portfolio Holder Economy, Infrastructure and Development

Executive Summary:

A petition containing in excess of 500 signatures was submitted by Councillor Shaun Fitzpatrick 19 October 2015. The petition requesting the removal of the bus lane in Bloxwich High Street was worded as follows:

“We the people of Walsall and visitors to the borough ask Walsall Council to remove the 100m long bus lane in Bloxwich High Street as we believe it serves no purpose. It causes a build up of traffic in the right hand lane making turning left into Somerfield Road a problem during peak times”

This report details the response of the Head of Planning, Engineering and Transportation to this petition.

Reason for scrutiny:

The Council's petitions scheme requires that where a petition containing at least 500 but less than 1500 signatures is received by the Council, the relevant senior officer will give evidence at a public meeting of one of the Council's scrutiny and performance panels. The authority has determined that the response to such petitions must be given by either, the Chief Executive, Executive Directors, Assistant Directors or Heads of Service.

Recommendations:

Committee is recommended to:

1. Note the contents of this Report,
2. Consider the implications of retaining or removing the existing bus lane in Bloxwich High Street and make any recommendations that this committee feels appropriate

Resource and legal considerations:

The Council has a statutory duty under the Traffic Management Act 2004 to work with bus operators in formulating and implementing measures to improve bus punctuality.

The Walsall Unitary Development Plan adopted by Council March 2005 sets out the planning policy approach to the delivery of bus services:

‘Bus services will continue to provide for most of the Borough’s public transport needs, at the local and sub-regional level. It is important for passengers who are travelling further afield that bus services dovetail with rail services. Bus services will be given priority within and around the Town and District Centres’

The West Midlands Strategic Transport Plan ‘Movement For Growth’ emphasises the contribution of local bus services to making Walsall and the wider West Midlands a better place to live. The plan encourages greater use of local bus services to reduce the pressure put on congested local highways by local trips.

Any change to the bus lane restriction would require a change to the Bus Lanes, Bus Gates and Bus Only Streets Order used as the basis for any enforcement activity undertaken to control their use.

Citizen impact:

The removal of the bus lane could be viewed as a positive step by motorists who perceive its existence is creating additional unnecessary traffic congestion for non bus traffic. Those who are reliant upon the operation of an efficient bus service could perceive its removal as a negative step as bus journey time reliability could be adversely impacted.

Environmental impact:

The operation of an efficient and reliable bus service can assist with an increased use of more sustainable modes of transport. This change will have a positive impact on air quality within the borough.

Performance management:

The provision of bus services can have a positive impact on the performance of the highway network. Increased usage of public transport will result in an overall reduction in vehicle numbers travelling on the highway network

Equality Implications:

The provision of an efficient and reliable bus service will facilitate access to local goods, services and employment for those residents without access to private means of transport.

Consultation:

Consultation with the Council's Traffic Management and Parking Service has been undertaken in the preparation of this report.

Contact Officer:

Steve Pretty – Head of Planning, Engineering and Transportation

 01922 654696

Steve.pretty@walsall.gov.uk

Report

1. In 2009 parking enforcement powers were transferred from the police to local authorities. It was not until 2011 when the enforcement of moving traffic offences for driving in bus lanes was similarly transferred. In 2013 Walsall commenced this enforcement utilising a specific bus lane enforcement CCTV car following a major publicity campaign to explain the rationale and objectives of bus lane provision and enforcement to the wider community.
2. For the first month of bus lane enforcement activity, no penalty charge notices were issued to motorists, giving them the opportunity to change their driver behaviour and avoid a penalty charge.
3. The bus lane in Bloxwich High Street was introduced 18 years ago as a bus showcase route, with improvements undertaken in 2008 including the peak period only restriction, and coordinated with further works in 2011 for the red route and bus lane works along A34. The bus lane restriction is a peak period only restriction applicable Monday to Friday between the hours of 08:00 to 09:30 and 16:00 to 18:30.
4. During the restricted period the bus lane can only be used by bus, cycle, taxi and motorcycle traffic. Outside of the restricted period the bus lane may be used by all vehicular traffic with parking also permitted other than in the area marked as the bus stop.
5. Enforcement of the bus lane was historically a Police responsibility. However, due to competing pressures and priorities, the Police had not been able to provide the necessary level of consistent enforcement required to maintain the intended operation of the bus lane.
6. Bus lane enforcement was initially undertaken by the Council using its mobile enforcement vehicle used for bus lane and school gate parking enforcement purposes. Given the borough wide demand for the use of this vehicle it was not possible to undertake consistent enforcement of the Bloxwich High Street bus lane resulting in a continuation of the previous poor levels of compliance.
7. Complaints from bus operators have been received about the impact of poor compliance on the punctuality and journey time reliability of bus services. Bloxwich High Street has been identified by Centro as a hot spot area where delays to bus movements are impacting on the ability to maintain bus services to their published timetable.
8. Complaints have also been received about the lack of enforcement of the bus lane from motorists who have been complying with the bus lane restriction. Their concerns being the lack of consistent enforcement leading to some motorists ignoring the bus lane restriction and therefore preventing the motorists who were complying with the restriction to establish themselves in the correct lane at the end of the bus lane restriction.
9. As a result of the ongoing lack of compliance, detailed surveys were undertaken to gauge the true levels of contravention. This found that on a typical 30 minute

period during the bus lane restricted hours, approximately 150 were contravening the restriction.

10. To improve the level of compliance a static enforcement camera was installed 22 September 2015.
11. The static camera is used to generate video evidence packs where a suspected contravention of the bus lane restriction has occurred. Every evidence pack is reviewed by a trained civil enforcement officer to understand the overall circumstances of the vehicle driving in the bus lane before a decision is made to issue a penalty charge notice. Any motorist who inadvertently strays into the bus lane for a short period of time, has no alternative but to enter the bus lane for unavoidable reasons, or enters the bus lane close to the final extent of its coverage is not issued with a penalty charge.
12. Despite the above review of overall circumstances, a disappointing level of compliance was recorded and resulted in approximately 500 penalty charge notices being issued per day during the first week of operation of the static camera.
13. As anticipated, the levels of compliance quickly improved and currently the number of penalty charge notices being issued per day is approximately 25.
14. Funding generated from penalty charge notices is used to offset the cost of enforcement activity. Any surplus generated is used to fund highway improvements within the borough in accordance with statutory guidance.
15. The bus lane is now generally operating as intended and providing the level of bus priority required to maintain scheduled bus services.
16. The impact on non bus lane traffic has been negligible. The majority of motorists now comply with the bus lane restriction and are no longer prevented from establishing their vehicle in the correct lane for their intended onward journey at the end of the bus lane.
17. As a result of the local publicity generated around this matter the Council has received the following representation from National Express West Midlands - the main bus operator of services along this route:

“Bus lanes in Walsall, and throughout the West Midlands, are invaluable in enabling us to provide reliable, robust and attractive bus services to existing and prospective bus passengers.

Bus lanes enable us to achieve faster journey times than would otherwise be the case and to predict running times with a much greater degree of certainty than otherwise - which means that we can schedule journeys with greater accuracy and invest time that would otherwise have to be used to balance out ad-hoc delays caused by congestion in higher frequencies - which are of direct benefit to passengers.

Traffic levels along Bloxwich High Street and Bloxwich Road are highly variable, but the existence of the bus lane between The Pinfold and Elmore Green Road

helps to mitigate this and provide significantly more operational certainty than we would otherwise have.

Without this and other bus lanes in Walsall - and without effective enforcement - to maintain reliability we would need to reduce service frequencies to allow extra running time on affected services.

In this case, we would potentially need to reduce the level of service offered on the 29, 301 and 302 to allow buses to run reliability (within the same resource). This would have a double edged negative effect: not only would buses then run less regularly, but journey times would be extended also without the effect of buses being enabled free passage along otherwise congested roads.

Evidence shows that where frequencies are reduced and journey times are extended, less passengers travel by bus - and that many turn to private modes of transport, causing even greater levels of congestion and initiating a vicious circle of unsustainable increases in traffic levels and pollution.

Almost 3 million passenger journeys are made each year on services that pass along the section of bus lane on Bloxwich High Street between The Pinfold and Elmore Green Road - not including passengers carried by other bus operators.

Removing bus lane provision or stopping effective bus lane enforcement here would potentially directly impact all of these - including those not directly travelling across this section of route, as delays caused by additional levels of congestion here would translate through across the whole of the affected services. Journeys that are caused to run late as a result of extra traffic congestion here would usually continue to run late for the rest of that journey, and possibly even on the next journey operated by that bus - which would have a negative impact on passengers travelling even at the opposite end of the route.

We are therefore strongly opposed to the removal of this bus lane, or of effective enforcement mechanisms”.

18. Members may wish to discuss alternatives including:

- a. Maintaining the current bus lane and enforcement procedure
- b. Remove the bus lane in its entirety
- c. Retain bus lane but use camera car only rather than static camera
- d. Retain bus lane but remove enforcement
- e. Reallocate some £10k from the current bus lane enforcement income from other highways works to implement green surfacing along this bus lane to reinforce and assist drivers in accordance with policies.

19. Subject to the above and member's consideration it is believed that the removal of the bus lane would have an adverse impact on the delivery of a range of transportation, planning and air quality aspirations. If the bus lane is retained with the static camera this will enable the priority for the Mobile Enforcement Camera Car to be utilised to address safety and parking issues around schools for which we have received many requests from the public and members alike.