

Title of meeting: Traffic and Transportation Cabinet meeting

Date of meeting: 13th December 2021

Subject: Trial to allow Portsmouth City Council licensed Private Hire Vehicles (PHV's) in bus lanes in Portsmouth

Report by: Tristan Samuels, Director of Regeneration

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 The purpose of this report is to detail the commitment made at Full Council on the 9th November 2021, to undertake a minimum 3 month trial to allow Portsmouth City Council licensed Private Hire Vehicles (PHV's) in bus lanes in Portsmouth.

2. Recommendations

It is recommended that the Cabinet Member for Traffic and Transportation:

- 2.1 **Confirms the commitment at Full Council on the 9th November 2021, to undertake a trial to allow access for Portsmouth City Council licensed Private Hire Vehicles to use bus lanes in Portsmouth;**
- 2.2 **Notes that a working group will be established, which would include transport operators, such as representatives from the local bus companies and Private Hire Vehicle (PHV) operators, and other interested parties to implement and input into the trial;**
- 2.3 **Delegates authority to the Director of Regeneration in consultation with the Cabinet Member for Traffic and Transportation and the Section 151 Officer to release funding to undertake the monitoring and evaluation of this trial as the details are developed, this will be funded from the Parking Reserve;**
- 2.4 **Notes that a report will be taken to Licensing Committee for further comments and input into the trial.**

3. Background

- 3.1 Taxis and private hire vehicles are an important mode of transport for many, providing 24-hour on-demand travel across the city. This trial would support this mode transport option, potentially enabling improved journey times through access to the priority lanes.
- 3.2 As outlined in the recently adopted Portsmouth Transport Strategy 2021-2038, a key part of reducing demand to own private cars will be to provide residents with the confidence that they have alternative transport modes available to make various trips. This will include access to public transport, taxis and private hire vehicles and other sustainable transport options.
- 3.3 As committed to at Full Council on the 9th November 2021, a trial of Portsmouth City Council (PCC) private hire licensed vehicles in Portsmouth bus lanes will be established.
- 3.4 A closely monitored trial will provide information and data to understand the potential impacts of other users of bus lanes i.e., bus delays and cycle safety. This will be reported back in a report to Traffic and Transportation.
- 3.5 The trial will be undertaken under an Experimental Traffic Regulation Order (ETRO), which will provide the opportunity for residents and stakeholders to be consulted throughout the duration of the trial. This consultation information will feed into the review of the trial.

4. Bus lanes in Portsmouth

- 4.1 Portsmouth currently has 53 bus lanes in the city, providing a combined total of 9.8 km of dedicated right of way. A plan showing the bus lanes in the Portsmouth administrative boundary is outlined in appendix A.
- 4.2 The vehicle types permitted to use each bus lane are specified in the relevant Traffic Regulation Order (TROs). This currently includes buses, Hackney Carriages (taxis), cyclists and emergency service vehicles travelling under blue lights are permitted to use the bus lanes in Portsmouth, as well as rental e-scooters through the DfT e-scooter trial operating in Portsmouth until 31st March 2022.
- 4.3 Bus lanes are traffic lanes reserved for the use of buses and other authorised vehicles which are to be given priority. They provide a dedicated right of way, enabling buses to avoid queues of traffic and other sources of delay, and address the problem of bus travel times becoming substantially longer and less reliable and attractive than those possible by car.

- 4.4 Under the 1985 Road Traffic Act, the Local Transport Authority is accountable to the Traffic Commissioner for any action that it has taken which negatively impacts on bus punctuality.

5. Monitoring

- 5.1 There are several ways that this trial could be monitored, including the use of Automatic Number Plate Recognition (ANPR) cameras and enumerators. The most viable option to obtain data and determine if other vehicles are using the bus lanes would be to use enumerators at dedicated locations across the city. These locations will be developed with the working group and could be moved during the trial if concerns are reported back during its operation.
- 5.2 To ensure robust information, it is proposed that data is collected before and during the trial. This will provide a baseline of evidence and will be reported back to Traffic & Transportation with the results of the trial.
- 5.3 Alongside this monitoring, further information and data will be collected and analysed including:
- Accident data in bus lanes and on the approaches and exits
 - Near miss data from cyclists
 - Satisfaction - PHV, Hackney drivers, local bus drivers, vulnerable road users (i.e. cyclists) and emergency services under blue lights
 - Journey time data - Buses Real Time Information data.

6. Other considerations

Bus Gates

- 6.1 There are currently two types of bus gates in the city; a detector which is present in the road at the M275, and via a camera at the top end of Commercial Road. There is also a bus gate on Winston Churchill Avenue. These will require reconfiguration to ensure access for PHVs during the trial.

Bus links

- 6.2 Hackney Carriages are not permitted to use the following bus lanes/links within the Portsmouth administrative boundary, and it is therefore not proposed that PHVs are permitted during the trial. These links include:
- Furze Lane Link
 - Cosham Interchange East and West link

Signage

- 6.3 To clearly indicate which vehicles are permitted to enter the bus lanes during the trial, all current bus lane signage will need to be updated to show "authorised

vehicles". An audit will be conducted to establish the exact number of bus lane signs that will require changing.

- 6.4 All the signs that are used on the highway have to comply with the designs set out in the Traffic Signs Regulations and General Directions 2016 (TSRGD).

7. Next Steps and timeframes

- 7.1 Following the trial, a report will be brought back to Traffic & Transportation with the analysis and findings. Time is required ahead of the trial to undertake an audit of the current bus lane signage, produce and install replacement signs at all bus lane locations and develop the ETRO.
- 7.2 If the trial is approved, a working group will be arranged to make recommendations to the Cabinet Member for monitoring locations.
- 7.3 A report will be taken to the next Licensing Committee for further comments and input into the trial.
- 7.4 The trial is expected to launch in March 2022. This timeframe will be refined in liaison with the working group and Cabinet Member for Traffic & Transportation.
- 7.5 Details of the trial scheme will be developed, and an application for an ETRO will be made. It is estimated that the trial will launch in the city in March 2022, for a minimum 3-month period.

8. Reasons for recommendations

- 8.1 Taxis and private hire vehicles are an important mode of transport for many, providing 24-hour on-demand travel across the city. This trial would support this mode transport option, potentially enabling improved journey times through access to the priority lanes.
- 8.2 As outlined in the recently adopted Portsmouth Transport Strategy 2021-2038, a key part of reducing demand to own private cars will be to provide residents with the confidence that they have alternative transport modes available to make various trips. This will include access to public transport, taxis and private hire vehicles and other sustainable transport options.
- 8.3 A closely monitored trial will provide information and data to understand the potential impacts of other users of bus lanes i.e., bus delays and cycle safety. This will be reported back in an interim report to Traffic and Transportation.
- 8.4 The trial will be undertaken under an ETRO, which will provide the opportunity for residents and stakeholders to be consulted throughout the duration of the trial. This consultation information will feed into the review of the trial.

9. Integrated impact assessment

- 9.1 An Integrated Impact Assessment (IIA) has been undertaken as part of the development of a trial and is attached in appendix B of this report. As the trial is developed a further IIA will be undertaken once the detail is understood.
- 9.2 Within the IIA, the concept of this trial impacts positively on the following sections:
- Section B - Environment and climate change
B1 - Carbon emissions
B5 - Air Quality

10. Legal implications

- 10.1 It is the duty of a local authority to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to its other obligations, policies and objectives, the following objectives:
securing the expeditious movement of traffic on the authority's road network;
and (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
- 10.2 Local authorities have a duty to take account of the needs of all road users, take action to minimise, prevent or deal with congestion problems, and consider the implications of decisions for both their network and those of others.
- 10.3 An experimental traffic order (ETRO) may be made for the same reasons as a standard traffic regulation order, including avoiding danger to persons or other traffic using the road or for preventing the likelihood of such danger arising or facilitating the passage on the road of traffic. ETROs may last for up to a maximum of 18 months.
- 10.4 An order may specifically include provisions prohibiting, restricting or regulating the use of a road or any part of the width of a road by any specified class of traffic. The existing traffic regulation orders will need amending to permit the use of private hire vehicles.
- 10.5 There is no statutory requirement to consult before making an ETRO but notice of the order must be given in the prescribed form. Specified documents must also be placed on deposit. The order cannot come into force until the expiry of 7 days from the date that notice was given.
- 10.6 If it is intended to make the ETRO permanent after the trial period has passed the notice should contain the prescribed statement set out in Schedule 5 of the Local Authorities Traffic Orders Procedure Regulations 1996. A statement of the reasons for making the order will also have to be placed on deposit.

- 10.7 Any person or body may object to the ETRO being made permanent by no later than 6 months from the order coming into force.

11. Director of Finance's comments

- 11.1 The trial is estimated to cost approx. £110,000. This includes £38,000 to install signage at the bus lanes and to update the traffic management signs along M275. £35,000 to collect the data by using traffic enumerators at 10 locations for a 4-week period. £37,000 to produce and submit the Experimental Traffic Regulation Order (ETRO) and to cover Legal and Project Management fees. This will be funded from the parking reserve.
- 11.2 There could be further costs associated with reversing any changes to signage or lining if the trial is not a success. The costs are unknown at this stage.
- 11.3 There is a financial risk associated with the trial and its full implementation, as a result of allowing private hire vehicles to use bus lanes that this has an effect on bus journey times, if this occurs the Bus Operators could make a claim to the Traffic Commissioner if they are unable to keep bus reliability targets.

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Signed by:

Appendices:

Appendix A - Portsmouth Bus Lane locations
Appendix B - Integrated Impact Assessment (IIA)

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:

