

## READING BOROUGH COUNCIL

### REPORT BY EXECUTIVE DIRECTOR FOR ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES

<b>TO:</b>	TRAFFIC MANAGEMENT SUB-COMMITTEE		
<b>DATE:</b>	02 MARCH 2023		
<b>TITLE:</b>	RESULTS OF STATUTORY CONSULTATION - PROPOSAL TO REMOVE CYCLING PROHIBITION, READING RAIL STATION SUBWAY (POST-CONSULTATION UPDATE)		
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#### 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 There is a desire to improve the cycle route linking between the north and south sides of Reading Railway Station, which currently presents a barrier with the prohibition of cycling in place along the subway. Improvement works to increase the height of the subway will be underway shortly and the cycling strategy for town centre regeneration sites is predicated on cycling being allowed along this subway.
- 1.2 At the September 2022 meeting, the Sub-Committee agreed to officers undertaking a statutory consultation for the proposed revocation of the Traffic Regulation Order that prohibits cycling along the subway. This report seeks a Sub-Committee decision on whether the restriction can be revoked, following consideration of the consultation feedback received, and a shared-use footway/cycleway implemented.
- 1.3 Appendix 1 - Extract from the 2013 Traffic Regulation Order, showing the location of the subway.

Appendix 2 - Feedback to the statutory consultation (updated following completion of the statutory consultation on 23 February 2023).

#### 2. RECOMMENDED ACTIONS

- 2.1 That the Sub-Committee notes the content of this report.

- 2.2 That objections noted in Appendix 2 are considered and the Sub-Committee agrees whether or not to agree the revocation of the Traffic Regulation Order that currently prohibits cycling along the subway.
- 2.3 If agreed to proceed with the revocation, that the Assistant Director of Legal and Democratic Services be authorised to make the legal revocation and that no public inquiry be held into the proposal.
- 2.4 That respondents to the statutory consultation be informed of the decision of the Sub-Committee accordingly, following publication of the agreed minutes of the meeting.

### 3. POLICY CONTEXT

- 3.1 The proposals are in line with the Council's Local Transport Plan (LTP) and Local Cycling, Walking and Infrastructure Plan (LCWIP). The proposals will complement the Council's Climate Emergency Strategy and Health and Wellbeing Strategy by removing barriers to the greater use of sustainable, healthy transport options.
- 3.2 The cycling strategy for town centre regeneration sites to both south and north sides of the railway (and beyond) is predicated on cycling being allowed along the subway. The planning permission for these sites has been subject to public consultation and determined by democratic process and provision of cycling facilities is an obligation under the planning permissions granted.

### 4. THE PROPOSAL

#### Current Position

- 4.1 In 2013, following the substantial redevelopment of Reading Railway Station and its interchanges, the subway linking the north and south interchanges was dedicated as a Highway under a deed of variation between Network Rail Infrastructure Ltd and Reading Borough Council. Responsibility for the overhead concrete / rail structure remains with Network Rail while the internal subway and ceiling are the responsibility of Reading Borough Council's Highways & Traffic Services Team.
- 4.2 The subway construction included a suspended ceiling lower than that of engineering constraints of the surrounding structure. It was a potential safety risk to cyclists and as such, a Traffic Regulation Order was put in place implementing a prohibition of cycling along the subway.

The public have a right of access through the Reading Station Subway on foot and cycling is not currently permitted, as the width and height clearances are substandard.

- 4.3 It has been a long-standing desire of Reading Borough Council and cycling groups to find a solution that would enable safe cycling along the subway, as this prohibition and the surrounding rail infrastructure and strategic road network are significant cycling barriers between the north and south sides of the station and beyond. It is now a key link for the town centre regeneration sites cycling strategy.

Highway Authority advice on permission 192032/HYB for the Station Hill redevelopment was that *“The proposal will result in increased trips above that of the existing uses on the site and will include trips to and from the north via the underpass. As a result, the development must contribute towards the improvements to the underpass to make it suitable to accommodate pedestrians and cyclists. A contribution of £200,000 is therefore sought.”* This contribution was secured by S106 legal agreement and has been paid and is available to fund the works.

*“Station Underpass Contribution means the sum of two hundred thousand pounds (£200,000.00) Index Linked to be used by the Council towards the cost of such improvement works on the station underpass as may be reasonably required to facilitate the use of the underpass by cyclists and pedestrians;”*

A key test in securing this contribution was that the works are *“necessary to make the development acceptable in planning terms”*.

The Station Hill redevelopment has been designed specifically to secure a continuous north-south cycle route through the town centre and beyond to Christchurch Bridge. Cycleways leading to the underpass are specifically secured in the planning permission (192032/HYB) and which are predicated on the underpass being opened to cyclists as a key part of the route.

Page 114 of Local Transport Plan 4 (2020-36) Reading Transport Strategy 2036 Consultation Draft - May 2020 seeks *“Improved access to/from Reading Station for cyclists, including through the subway, and connectivity to key local and national cycle routes”* and *“Increased attractiveness of active travel through reduction in severance between the station and town centre”*.

- 4.4 The Council commissioned a feasibility report on allowing cycling as part of a scheme to remove the lowest ceiling panels using S106 funding specifically for this scheme. The solution will see the removal of the low sections of ceiling panels, a tidy up of the existing concrete ceiling and protection of Network Rail services.

There will be an improved head room clearance, which although below national guidelines, will enable the Council to accept the position and allow cycling through the subway following the necessary consultation process and revoking of the Cycling Prohibition Order.

There is also a separate proposal to replace the lighting with a LED equivalent lanterns to reduce energy consumption and enable remote monitoring and control the lighting units.

- 4.5 In September 2022 the Sub-Committee agreed that officers could undertake the necessary statutory consultation to propose a revocation of the Traffic Regulation Order that currently prohibits cycling along the subway. The consultation was conducted between 2<sup>nd</sup> and 23<sup>rd</sup> February 2023.

A press release was issued and members of related forums, such as CAST, were notified. This was in addition to the regulatory requirements for advertising the consultation.

- 4.6 During the September 2022 meeting, public concerns were raised regarding the behaviour of some cyclists currently using the subway and a worry that a removal of the cycling prohibition could worsen the experience of pedestrians. Officers were asked to consider any options to mitigate this risk, should the proposal be agreed, and physical segregation was raised as an option.

Signing of the Highway is regulated, so should the Sub-Committee decide that the cycling prohibition should be revoked, the regulatory prohibition signs would be removed and only compliant regulatory shared-use signing installed.

The subway is insufficiently wide to implement physical segregation features, particularly considering that this would be a two-way facility for pedestrians and cyclists. For this same reason, it would not be appropriate to demark a separation of pedestrians and cyclists. Having a shared-use facility that is used responsibly should facilitate a steady flow of people in both directions and at relatively low speeds.

#### Options Proposed

- 4.7 Members are asked to consider the contents of this report and the feedback that has been received in Appendix 2, particularly the content of objections, and decide whether the cycling prohibition should be revoked, or not.

A total of 554 responses to the consultation were received, of which 72.56% were in support of the proposed removal of the cycling ban and 27.44% objected. In summary of the objections, the three common themes were:

- Cyclists already use the underpass and often at speeds which are hazardous to pedestrians.
- The space is too narrow to be a shared space.
- Pedestrians should have priority through this underpass.

#### Other Options Considered

- 4.8 None at this time.

### **5. CONTRIBUTION TO STRATEGIC AIMS**

- 5.1 The retention of the cycle scheme contributes to the Council's Corporate Plan themes as set out below:

- **Healthy environment**  
The implementation of cycle facilities can remove barriers to cycling and lead to an increase in uptake of this active and healthy transport mode. This can lead to a reduction in motor-vehicle journeys, particularly short local journeys, which can be some of the most polluting, improving air quality by reducing emissions.
- **Thriving Communities**  
Cycling is a lower-cost transport mode that also provides exercise. Providing cycle-prioritisation facilities and, therefore, removing some barriers that

may exist toward cycling offers an appealing and beneficial transport option for our communities.

- **Inclusive economy**

The proposal in this report provides useful linking between destinations and other parts of the cycle network across the borough. With the addition of future schemes, they make Reading an increasingly attractive place in which to cycle and visit sites of cultural significance, retail and entertainment venues and enjoy its geographical benefits (e.g. the River Thames and River Kennet).

5.2 Full details of the Council's [Corporate Plan](#) are available on the website and include information on the projects which will deliver these priorities.

## 6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

6.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).

6.2 A Climate Impact Assessment has been conducted, which considers a net 'low-positive' impact as a result of the Sub-Committee agreeing to the proposal to consult on (and subsequently agree to implement) the revocation of the cycling prohibition.

If the change is agreed for implementation, there will be some minor negative impact and material use for signing alterations and potential lining (e.g. shared-use markings). However, the proposals would remove some barriers to cycling, which would be expected to more than offset this minor negative impact.

## 7. COMMUNITY ENGAGEMENT AND INFORMATION

7.1 Statutory consultation has been conducted in accordance with appropriate legislation. Notices of intention have been advertised in the local printed newspaper and on-street within the affected area. The Police and other statutory consultees will be directly notified. The consultation has been hosted on the Council's website (the 'Consultation Hub'), where details and plans have been available. Feedback received during the consultation is considered as part of the scheme implementation decision process.

7.2 A press release was issued at the commencement of the statutory consultation and members of appropriate Council forums (e.g. CAST) were also notified.

7.3 Traffic Management Sub-Committee is a public meeting. The agendas, reports, meeting minutes and recordings of the meetings are available to view from the Council's website.

## 8. EQUALITY IMPACT ASSESSMENT

8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 It is not considered that an Equality Impact Assessment (EIA) is relevant at this stage, as we will be seeking views on the proposal as part of the statutory consultation process. This will include consulting the Access & Disability Forum and other interest groups.

Feedback will be considered and analysed, and an EIA conducted as part of the further report to the Sub-Committee, where we will be seeking a decision on the implementation (or otherwise) of the proposal.

## 9. LEGAL IMPLICATIONS

9.1 New, or changes to existing, Traffic Regulation Orders require advertisement and consultation, under the Road Traffic Regulation Act 1984 and in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996. The resultant Traffic Regulation Order will be sealed/revoked in accordance with the same regulations, if agreed.

This report seeks agreement for the Assistant Director of Legal and Democratic Services to undertake these processes.

## 10. FINANCIAL IMPLICATIONS

### Capital Implications

The following figures are based on the Sub-Committee agreeing the revocation of the cycling prohibition and delivery of a shared-use facility signed to national regulatory standards.

	2022/23 £000	2023/24 £000	2024/25 £000
Proposed Capital Expenditure:	1	0	0
Funded by Grant (Integrated Transport Block) £205,761 received	1 0	0	0 0
Total Funding	1		0

### 10.4 Value for Money (VFM)

It is considered that the recommendations of the report provide value for money as the benefits of the proposal in supporting the significant regeneration of the Station Area can be realised with modest costs funded by developer contributions.

## 10.5 Risk Assessment.

There are no foreseen financial risks related to the recommendations of the report.

The Council would ultimately be obliged to return the S106 monies to the developer should the works not be carried out to meet the aims of *“such improvement works on the station underpass as may be reasonably required to facilitate the use of the underpass by cyclists and pedestrians”*

This would be payable plus interest (at base rate applying at the time of repayment) which could be a substantial sum after the relevant 10 year repayment period set out in the agreement.

## 11. BACKGROUND PAPERS

- 11.1 Railway Station Subway - Proposal to Revoke Prohibition of Cycling (Traffic Management Sub-Committee, September 2022).
- 11.2 Local Transport Plan 4 (2020-36) Reading Transport Strategy 2036 Consultation Draft - May 2020
- 11.3 Report to 13 January 2021 Planning Applications Committee.