

# Traffic Management Sub-Committee

06 March 2024



**Reading**  
Borough Council  
Working better with you

<b>Title</b>	Private Hire Vehicle Use of Kings Road Outbound Bus Lane – Results of Statutory Consultation
<b>Purpose of the report</b>	To make a decision
<b>Report status</b>	Public report
<b>Report author</b>	James Penman, Network Services Manager
<b>Lead councillor</b>	John Ennis
<b>Corporate priority</b>	Healthy Environment
<b>Recommendations</b>	<p>The Committee is asked to:</p> <ol style="list-style-type: none"><li>1. Note the content of this report</li><li>2. That objections noted in Appendix 2 are considered and the Sub-Committee agrees to either implement, amend, or reject the proposals.</li><li>3. That the Assistant Director of Legal and Democratic Services be authorised to seal the resultant Traffic Regulation Order, if applicable.</li><li>4. That respondents to the statutory consultation be informed of the decisions of the Sub-Committee accordingly, following publication of the agreed minutes of the meeting.</li><li>5. That the Highways &amp; Traffic Services Manager, in agreement with the lead Councillor and Ward Councillors, be allowed to make minor alterations to the proposals as may be necessary.</li><li>6. That no public inquiry be held into the proposals</li></ol>

## 1. Executive summary

- 1.1. A petition was reported at the September 2022 Sub-Committee meeting (report and minutes available [here](#)), requesting that Reading Borough Council licenced private hire vehicles be granted access to the use of the Kings Road (outbound) bus lane and Duke Street bus gate. The petition contained 187 indications of support.
- 1.2. A petition update report at the November 2022 Sub-Committee meeting (report and minutes available [here](#)) and an update report at the September 2023 meeting (report and minutes available [here](#)) recommended that the requested alterations were not pursued at that time and set out the reasons for this.
- 1.3. At the September 2023 Sub-Committee meeting, members agreed to amend the report recommendations, as per the published minutes. Officers were tasked to undertake an informal consultation on the requested restriction changes and to include stakeholders in the consultation. The results of the informal consultation were presented to the Sub-Committee at its meeting in January 2024 (report and minutes available [here](#)) where, having reviewed the feedback received, the Sub-Committee decided to proceed to a formal statutory consultation.
- 1.4. The statutory consultation took place between 1<sup>st</sup> – 21<sup>st</sup> February 2024. This report informs the Sub-Committee of objections resulting from the statutory consultation for the

proposals agreed at the January 2024 Sub-Committee meeting. Members are asked to consider these objections and conclude the outcome of the scheme.

## 2. Policy context

- 2.1. Previous reporting on this request recommended development of a Boroughwide strategy for bus lane access, notwithstanding any site-specific factors that may additionally influence decisions, and this remains a commitment of officers once this work can be resourced.
- 2.2. Implementation of the requested access change would be expected to align most closely with the following theme in the Council's Corporate Plan for the years 2022/25:
  - Healthy Environment

While in the context of Reading Borough Council licenced Private Hire vehicles, introducing the alteration should improve the ease of travel for them, previous reporting has raised concerns that the change could have a detrimental impact on the ease of travel for other users of the bus lane – particularly buses and cyclists – and on road safety. This is of particular concern for pedestrians crossing the road, and for more vulnerable road users that are permitted to use the lane, and in the context of potentially increasing the number of vehicles travelling at a speed differential to the general traffic lanes.

## 3. The proposal

### Current Position

- 3.1. As reported to September 2022 Traffic Management Sub-Committee, on 1st July 2022 a petition was submitted to the Council containing 187 indications of support. The petition stated the following:

*Application for usage of the Bus Lane (KINGS ROAD, READING - OUTBOUND) and (DUKE STREET TO ACCESS LONDON STREET, INBOUND/OUTBOUND) READING.*

*I am writing this to request kindly the usage of the following bus lanes as stated above. I myself and likewise most of the PRIVATE HIRE DRIVERS in Reading have been driving Private Hire for many years.*

*Over the years the traffic situation in Reading has got from bad to worse. Day by day it is making our job very difficult and challenging. Especially in the Peak times the roads are so busy that we often get very late in dropping our passengers to their designated destinations.*

*On several occasions taking a V.I.P client to the airport in the mornings/afternoons we always get stranded on the A329 KINGS ROAD OUTBOUND. If we were granted access to use this bus lane it would help us in a logistical way, as you have been very kind to grant us the inbound usage of the same bus lane with barely any complaints of abusive use. As the same goes for the Duke Street bus lane access to London Street inbound/outbound, when we are trying to escort passengers to their destinations, it would be a major help, saving a great amount of time, meeting our customers' demands and needs and most of all reducing the amount of congestion and pollution.*

*Many thanks for taking the time to consider our request.*

- 3.2. Following the September 2022 Sub-Committee meeting, the Lead Petitioner provided further information to the Council, regarding the local challenges that exist for educational establishments recruiting school transport drivers.

In addition to the lengthy application process, it was proposed that potential drivers are finding it unappealing to apply for the limited work that this provides, particularly when these vehicles (in the context of them being private hire vehicles) are having to use general traffic lanes and contend with the traffic contained therein. It was suggested that allowing private hire access to these bus lanes will contribute to expedited journeys for

school transport providers and make this work more appealing, thus improving the level of service.

It was further proposed that many bus lanes in the Borough are being used by Oxfordshire plated vehicles that have been licenced as Hackney Carriages, but are mostly undertaking executive industry work.

- 3.3. The requested bus lane access was later refined to the Kings Road (outbound) bus lane only.
- 3.4. Officers understand and sympathise with the issues that have been raised through this petition and other correspondence and understand the rationale for the requested alteration to the bus lane restriction. However, there are many factors that need to be considered with such a requested alteration, and a holistic professional recommendation made.
- 3.5. In previous reports, officers noted that buses play a key role in the efficient movement of people to, from and across the urban Borough. They have been nationally identified as playing an important role in providing a more sustainable transport mode, managing congestion and improving air quality, compared with low-occupancy private vehicle use.

Bus lanes are important facilities in influencing a greater shift toward the use of this cleaner, more efficient transport mode by expediting bus journey times and improving journey time reliability.

Most of Reading's bus lanes additionally provide expedited and lower-trafficked routes that cyclists (and motorcyclists, being more vulnerable road users) can use, should they choose to do so. This is not only a sustainable, clean and efficient mode of transport, but also has health benefits through exercise.

- 3.6. Reading Borough Council has been successful in its Government bid for funding its ambitions within the Bus Service Improvement Plan (BSIP). The proposals include expansion of the bus lane network within Reading, in addition to encouraging greater use of bus services on the existing network, through improvements to bus shelters, bus accessibility and subsidising bus fares, as three examples.
- 3.7. Previous reports noted that many of Reading's bus lanes permit access by other vehicle types, such as motorcycles and taxis (including private-hire vehicles). Officers are separately aware of requests for wider access by these vehicle types, particularly within the town centre.

They noted that enabling a wider range of vehicle access to this infrastructure will increase the volumes of traffic using it and will inevitably have an impact on the effectiveness of the facility for its core purpose – expediting bus journey times. This also risks creating barriers to cycling, for those lanes that allow this access, by adding to the level of traffic within these otherwise lighter-trafficked lanes.

Consideration of changes to access along these bus lanes was recommended to form part of a holistic strategy, being considered appropriately and in line with local and national policies and strategies. It was also noted that an additional concern of officers in adding vehicles to the Kings Road outbound bus lane, was an increased risk contributor to casualty incidents along this street - there will be a speed differential against general traffic lanes at busier times and the vehicles will be lower in profile compared to buses and more numerous.

- 3.8. To provide greater context to the officer concerns around risks, Kings Road is sadly experiencing a relatively high number of incidents involving casualties. The majority of these incidents are either involving pedestrians crossing the road or vehicles turning across other vehicles within the bus lanes. Due to the sensitive and personal nature of these incidents, it would not be appropriate nor permissible to provide greater detail in a public report and a public meeting.

The officer concern is that an increase in the volume of traffic in the bus lanes, particularly as this traffic would be a similar profile of vehicles to those within the general

traffic lanes, will risk increasing the numbers of casualties. In raising this risk it is important to note that officers are not alleging that it will necessarily be as a result of any inappropriate or unsafe driving that is anticipated by Reading Borough Council's licenced private hire drivers, but as a consequence of increased volumes of traffic that will be travelling at higher speed in comparison with the general traffic lanes.

Reading Borough Council currently has 856 licenced vehicles who would be able to use this facility, should the requested alteration to the restrictions be implemented. This is split between executive vehicles (144), private hire vehicles (499) and school transport vehicles (213). It is, however, noted that the potential restriction changes would exclude a significant number of non-Reading Borough Council licenced Hackney Carriage Vehicles from using the facility as they currently do.

- 3.9. The Red Route parking restrictions that span from east to west Reading - and include Kings Road – were primarily implemented to improve the reliability of bus services along this corridor, particularly the Reading Buses Number 17 route. The alterations to the Kings Road bus lane were also introduced with this objective, reducing the previous restriction from all private hire vehicles (alongside other permitted vehicle types) to just Reading Borough Council licenced private hires.

With enforcement based on the vehicle type, and not whether the vehicle is occupied with a fare, alongside the apparent lack of a cap on either the number of licenced private hire vehicles or on the access restriction itself, opening bus lanes to private hire vehicles could have a marked difference on traffic volumes using the facility throughout the day.

- 3.10. Previous reports have recommended that the requested alterations to increase access to the requested bus lanes were not pursued at that time and that a future strategic piece of work be undertaken to consider current and potential alterations to bus lane access across the Borough.
- 3.11. At the September 2023 Sub-Committee meeting, members agreed an amendment to the report recommendations. Officers were requested to undertake an informal consultation on the requested changes to the restriction and to ensure that key stakeholders were included in the consultation. The results of the consultation were reported to the Sub-Committee at its meeting in January 2024. The report including the results of the informal consultation can be viewed [here](#).

The Sub-Committee reviewed the feedback received to the informal consultation and decided to proceed with a formal statutory consultation. This took place between the 1<sup>st</sup>-21<sup>st</sup> February 2024. Officers notified stakeholders by email, which included statutory consultees (e.g. emergency service providers) and other groups including public transport operators. Notices were installed on Kings Road, along with the required public notice in the local printed newspaper, and information was available on our online consultation page. This webpage contained a response/feedback form which allowed residents and others to provide their feedback to the consultation.

- 3.12. The Sub-Committee is asked to note that the statutory consultation process is a consultation with the public and other statutory consultees to create and seal a Traffic Regulation Order. Traffic Regulation Orders underlie on-street restrictions and allow them to be implemented and enforced.

The statutory consultation process is the Council proposing a new Traffic Regulation Order and in doing so, it must seek any objections so that the reasons may be considered as part of the decision on whether the restrictions be implemented.

Statutory consultations are not voting processes, where a higher number of objections compared with comments of support would necessarily lead to proposals not being implemented, or vice versa. Rather, it is typically expected that the responses will be balanced toward objections and the Council needs to consider the reasons provided in the objections and decide whether an Order is amended, removed or installed as advertised.

Statutory consultations are open for anyone considered to be impacted to respond, meaning that the respondent's address and other personal information is irrelevant. Under Data Protection law, capturing this information is not necessary and therefore is not requested.

- 3.13. Appendix 1 includes the drawings showing the proposed changes to the Kings Road bus lanes and Appendix 2 provides all of the feedback we received to the statutory consultation.
- 3.14. The Sub-Committee is asked to note that a technical issue resulted in the online feedback form initially having a slightly different question. Initially, it asked whether the responder supported or objected to the proposals, providing a 'Yes' or 'No' response option. This was quickly adjusted to ask the responder to select 'Support', 'Object' or 'Neither support nor object'.

Officers apologise for this issue, but have reflected the responses in Appendix 2 exactly as they were completed. Officers have reviewed the content of the responses and with the exception of two responses (these are clearly indicated on the Appendix 2), consider that the 'Yes' are equivalent to 'Support' and the 'No' are equivalent to 'Object'. The ordering and count summaries have been presented on this basis.

- 3.15. During the consultation period, 849 responses have been received, of which 28 (3.3%) were objections, 818 (96.3%) were support and 3 (0.4%) were neither support nor object.

It is unsurprising that the predominant benefits cited in the 'support' responses were a reduction in journey times for Reading Private Hire vehicles, leading to reduced fares and shorter journey times for customers, whether traveling to work, hospital, school or other destination.

The concerns raised in the objections related to safety, with a significant number related in particular to concerns about additional risk to cyclists/vulnerable road users. Thames Valley Police have also objected on these grounds, for which officers had raised concerns in previous reporting, reflected also in reported officer recommendations.

#### Options Proposed

- 3.16. The Sub-Committee is asked to consider the consultation feedback in Appendix 2, particularly the content of the objections, and decide whether the scheme should be implemented or should not be implemented.
- 3.17. To pursue the requested alteration of access along the Kings Road outbound bus lane would require the following:
- a) Identify funding
  - b) Signing review - Review and creation of signing specifications for the required changes along the route. This is expected to be eight regulatory blue-backed signs and three large white-backed directional signs that contain elements relating to the access restrictions
  - c) Making the Order – Seal and advertise the made Traffic Regulation Order
  - d) Implementation of the scheme – Updating exemptions on the enforcement camera software, change the signing on street.

It should be noted that if implemented, the Council may initially need to serve warning notices for first-time contraventions from the point of implementation, for a period of six months.

- 3.18. Addressing the point raised in the objection letter from Thames Valley Police, the Council will monitor the profile of casualty incidents on Kings Road, following any changes to the bus gate, to understand and act if that change was having an impact to

the casualty rate along the street. This will be in addition to its existing review of incidents.

#### Other Options Considered

- 3.19. As previously reported, and suggested in Thames Valley Police's objection letter, the Sub-Committee could decide to implement the changes under an Experimental Traffic Regulation Order.

In this situation, steps a through d in Section 3.17 would still apply, but step c would involve the creation and advertising of an experimental Order. This opens an ongoing consultation, enabling minor adjustments to be made within the first 6 months, and enabling the change to potentially be implemented permanently (advertising the 'made' Order) between 6 months and 18 months of delivery. Otherwise, the Experimental Order would expire, if not revoked earlier, and the underlying restrictions must be reinstated.

Objections to the Experimental Order would need to be considered as with any statutory consultation process, and the signing for the underlying restriction stored, should it require reinstatement.

#### **4. Contribution to strategic aims**

- 4.1. The Council's new Corporate Plan has established three themes for the years 2022/25. These themes are:

- Healthy Environment
- Thriving Communities
- Inclusive Economy

- 4.2. These themes are underpinned by "Our Foundations" explaining the ways we work at the Council:

- People first
- Digital transformation
- Building self-reliance
- Getting the best value
- Collaborating with others

- 4.3. Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.

- 4.4. In the context of Reading Borough Council licenced Private Hire vehicles, introducing the alteration should improve the ease of travel for them through central to east Reading. However, officers have reported concerns that this requested alteration to the bus lane restrictions could have a detrimental impact on the ease of travel for other users of the bus lane – particularly buses and cyclists – and on road safety. This is of particular concern for pedestrians crossing the road. As officers have repeatedly stated, the safety concern is not specifically directed at private hire drivers, but as a general concern regarding a potential increase in the number of vehicles using the lane and the speed differential that will exist between this lane and the general traffic lanes – the reason why the change is being requested. Motorcyclists, as vulnerable road users, have understandably expressed a concern about additional risk to them in the bus lane as a result of increased traffic volumes.

## **5. Environmental and climate implications**

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. The process of making the requested restriction alterations will result in wastage of old signage and visits to the site to erect/remove consultation notices and implement the changes.

The longer-term impact of introducing the requested alterations is difficult to predict but could lead to increased traffic volumes within the bus lane, with potential impact to the reliability and attractiveness of bus use and the attractiveness in using the facility for cycling.

## **6. Community engagement**

- 6.1. Statutory consultation(s) have been carried out in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, advertised on street, in the local printed newspaper(s) and on the Council's website (the 'Consultation Hub'). Notices will be advertised in the local printed newspaper and have been erected on street, as close as possible to affected areas.
- 6.2. Ward Councillors were made aware of the commencement dates for statutory consultation, so that there is an opportunity for them to encourage community feedback in this process. Statutory consultees and other stakeholder groups were notified also.
- 6.3. Where this report contains petitions that have not been separately reported, the lead petitioner(s) will be informed of the decision of the Sub-Committee, following publication of the agreed meeting minutes. Respondents to statutory consultations will also be informed of the Sub-Committee decisions.
- 6.4. 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.

## **7. Equality impact assessment**

- 7.1. 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.
- 7.2. It is not considered that an Equality Impact Assessment is relevant as the proposals are not anticipated to have a differential impact on people with protected characteristics. A statutory consultation has been conducted, providing an opportunity for objections/ support/ concerns to be considered prior to a decision being made on whether to implement the proposals.

## **8. Other relevant considerations**

- 8.1. Procedural Requirements and Regulatory Duties – Section 9 refers to the regulatory requirements for advertising and sealing Traffic Regulation Orders.
- 8.2. Should the Sub-Committee wish to proceed with the advertised changes, the following will apply:
  - a) Procedural Requirements – Covered in Section 3.17 of this report.
  - b) Regulatory Duties – Covered in Sections 3.17 and 9 of this report.

- c) Road Safety – Covered in Sections 3.8, 3.18 and 4.4 of this report.
- d) Resourcing – Consideration of relative scheme development priorities, such as the Waiting Restriction Review programmes and CIL scheme developments, which are undertaken by the same officers as would be needed to facilitate pursuing any changes to the Kings Road restrictions.

## 9. Legal implications

- 9.1. The proposed alterations were included in a new Traffic Regulation Order, drafted under the Road Traffic Regulation Act 1984 and advertised in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

The resultant Traffic Regulation Order will be made under the same regulations, if agreed.

- 9.2. Following the making of this Order, the public must be afforded a period of six weeks to raise any legal challenge, prior to the implementation of any elements contained within.
- 9.3. This report seeks agreement for the Assistant Director of Legal and Democratic Services to undertake these processes, should the Sub-Committee agree to implement the changes.

## 10. Financial implications

- 10.1. Should the Sub-Committee wish to proceed with development of the requested changes, funding will need to be identified. This funding will need to cover the costs of advertising the made Traffic Regulation Order and for the signing alterations.

No detailed investigation has been undertaken into the costs for signing removal and replacement at this time, however, it is estimated that delivery of the changes would require £10k - £15k of available funding, which will need to be Capital funded.

	2023/24 £000	2024/25 £000	2025/26 £000
Employee costs	NIL	NIL	NIL
Other running costs			
Capital financings costs			
<b>Expenditure</b>	NIL	NIL	NIL
Income from:			
	NIL	NIL	NIL
<b>Total Income</b>	NIL	NIL	NIL
Net Cost(+)/saving (-)	NIL	NIL	NIL

Staff costs will be capitalised.



## 10.2 Capital Implications

<b>Capital Programme</b>	<b>2023/24 £000</b>	<b>2024/25 £000</b>	<b>2025/26 £000</b>
Proposed Capital Expenditure	NIL	10	NIL
Funded by: To be identified	NIL	10	N/A
Total Funding	NIL	10	NIL

## 11. Timetable for implementation

11.1. Section 3.17 sets out the milestones toward delivery, if agreed, however, the timetable will depend on when the funding is advertised and thereafter, where the scheme is prioritised for development relative to other schemes/programmes.

## 12. Background papers

12.1. There are none.

## Appendices

1. Plan to show the alterations proposed in the advertised Traffic Regulation Order
2. Feedback received during the statutory consultation.