



## Bus gates: briefing

*Briefing by Mill Road – A Street for People*

### Summary

A bus gate is a point closure which permits buses through a particular part of a street. (Cycles are also permitted.)

Bus gates are a type of modal filter, which are a standard traffic feature aimed at removing traffic passing through an area, but in the case of Mill Road for instance, retain the ability for motorists to have unrestricted access to all residences and shops at any time.

A bus gate is slightly different to a bus lane – a bus gate is a point-based restriction, whereas a bus lane is longer, and there is slightly different signage.

Enforcement used to be done by use of bollards (e.g. on Bridge Street), but in Cambridge these have almost all now been replaced by camera-based enforcement, where an ANPR (Automatic Number Plate Recognition) camera detects the numberplate and checks it against a database of known permitted vehicles (e.g. service buses that operate in the area). Any vehicle not on the database is sent a fine through the post. The number plate recognition is highly effective and works well even in low light conditions.

A bus gate can include exemptions for other vehicles by whitelisting permit holders, i.e. the number plates of particular vehicles that have applied for an exemption.

Where a local authority allows exemptions for particular motor vehicles (i.e. in addition to buses), there need to be clear criteria, to ensure there is fairness. Any such criteria should be related to a clear set of objectives of the scheme.

The more types of permitted classes of vehicles that can apply for an exemption, the harder it is to manage the system.

Cambridgeshire County Council has traditionally avoided exemptions as much as possible, as these create potential inconsistencies between different bus gates.

It is a political decision as to what, if any, exemptions should be permitted.

Where the criteria allow a particular category of vehicle to be exempted, such exemption is not automatic. There are no databases that automatically feed into the system. Every such driver must apply and receive the exemption.

The rules applying to a bus gate are defined within a Traffic Regulation Order. As such, any changes to allow particular exemptions, would require a new TRO to be advertised for consultation, and then approved.

The work involved to implement any changes is (i) TRO (agreement in principle to advertise, then advertise and consult, then decide), (ii) adjustment of signs, and (iii) changes to the back office whitelisting system.

### Mill Road bus gate exemptions suggested over the last year

During the last year, various members of the public have made the following suggestions for exemptions to particular types of vehicle:

1. Taxis
2. Traders' vehicles
3. Blue-badge holders (disabled)

This briefing outlines the matters to be considered in each case, in terms of the legal and policy practicalities.

The key point is that any of the proposed exemptions are possible, but need to be justified in policy terms that are consistent with policies on bus gate exemptions elsewhere in Cambridge and be practical to administer.

Any of the exemptions would be a political decision that needs to balance overall objectives for Mill Road like a safer, calmer street, use of the space for disabled access improvements, etc. and that adding increasing numbers of exemptions will impede such objectives by reducing space for them.

#### 1. Taxis

One suggestion has been that taxis be permitted over the bridge, in order to facilitate access to the station, give better access across the length of the street for wheelchair users, and offering better access to people whose safety may be at risk (e.g. at night).

The use of the term 'taxi' by the public actually mixes two different classes of regulated vehicle:

- Hackney Carriages, taxicabs which have the right to ply the streets looking for passengers to pick up.
- Private Hire Vehicles (or minicab), which may pick up only passengers who have previously booked. For instance, this would include Uber vehicles.

In the Cambridge area, taxis are regulated by the district councils (Cambridge City Council and South Cambs District Council).

We understand that, in Cambridge:

- Hackney Carriages are subject to higher levels of regulation.
- Hackney Carriages are limited by volume.

- Cambridge-licensed Hackney Carriages also require in-cab CCTV and drivers are strictly vetted.
- Some 163 Hackney Carriages are wheelchair-accessible.
- Electric vehicles are required for new licenses.

In England and Wales, there were around 76,000 taxis and 166,000 PHVs as at the end of March 2015. In 2017, the Cambridge News reported that: “The total number of licensed hackney cabs in Cambridge is currently 327, and as of February 2017, there were 153 Private Hire Vehicles licensed by the city council, meaning the number of taxis in Cambridge today is 480.”

In Cambridgeshire, as regards use of bus gates:

- No bus gate permits private hire vehicles.
- Hackney Carriages are permitted to register for an exemption for the bus gates relating to the Core Scheme (the ring of locations around the city centre, e.g. Bridge Street, Silver Street, etc.).
- The other three locations in the city (e.g. Addenbrooke’s Access Road) do not permit Hackney Carriages.

Regarding Mill Road:

- The County Council could legally permit taxis through the Mill Road bus gate if it can determine objective policy reasons to permit this.
- The issue is instead one of policy, balancing the road safety and amenity aspects against increased numbers of vehicles using the street as a through-route. There are likely to be a range of views of members of the public, which consultation would establish.
- Permitting Private Hire Cabs would almost certainly lead to a complaint of inconsistency (the other bus gates do not permit these), that could lead to legal challenge. For this reason, it would seem inadvisable, as the County Council could end up with a significant increase in the numbers of vehicles in the city centre, which many people would not welcome, and the Trade would presumably object also.
- If the council permitted Hackney Carriages through the bus gate, such vehicles would need to be registered, as with other bus gates in the city.
- If minded to permit Hackney Carriages, the Council would need a very clear set of objectives for allowing Mill Road to be different to the other (non-central) two bus gates.
- If the primary aim of such a policy were to facilitate disabled access, it is not yet clear to us whether any such criteria would include only permitting those Hackney Carriages that are wheelchair-accessible. This needs further research.
- In terms of implementation, there is anecdotally a view of ‘taxi speeding’ in Mill Road before the closure of the bridge to through-traffic, including illegal overtaking on the bridge itself. It would likely be necessary to ensure there is traffic calming to avoid this re-occurring, which would be even more likely now with the freer

roadspace. A further speed limit reduction over the bridge might also want to be considered.

## 2. Traders' vehicles

One suggestion has been that traders' vehicles delivering to the shops be permitted over the bridge, in order to avoid vehicles which deliver to shops in both Romsey and Petersfield having to take the long way round.

This suggestion is about delivery vehicles, not general vehicles that traders use to get to work.

- The County Council could legally permit specific exempted vehicles through the Mill Road bus gate if it can determine (1) objective policy reasons to permit this, which (2) are implemented by means of clear criteria.
- The objective policy reasons would need to ensure they do not create inconsistencies with other bus gates in the city, to avoid those becoming subject to challenge. In the case of Mill Road, such policy could relate to the inconsistency of traffic reduction objectives against having delivery vehicles that have to deliver to both sides of the bridge being forced to go onto the ring road. Such a policy is a matter specifically relevant to Mill Road but not applicable to other bus gates in the city.
- As with all possible exemptions to the bus gate, the published criteria would need to be very clear, to avoid complaints of unfairness by general delivery operators not accessing Mill Road but delivering elsewhere.
- Vehicles would need to be registered by number plate. Traders using regular local deliveries from local distributors would presumably find this unproblematic, as the number of such vehicles is limited. Larger stores (e.g. the Co-op) could find this impracticable as the particular vehicles come from further away and there are more in number; however, such vehicles are part of large distribution chains which are more used to traffic restrictions of all kinds.
- In our view, it would seem likely that members of the public would be in favour of such an exemption, because this improves the ability of traders to function easily, and the relatively small number of vehicles does not significantly increase traffic.
- Allowing vehicles that traders simply use to get to work (as distinct to being used for significant numbers of deliveries) would almost certainly lead to challenges on the ground of unfairness, as such activity is no different to any other resident of Cambridge. Accordingly, any criteria should ensure that permits are only for vehicles involved in deliveries, not simply for travel to work.

## 3. Blue badge holders (disabled)

One suggestion has been that blue badge holders be permitted over the bridge, as they have less likelihood of being able to use the pavements of the bridge itself.

Blue badges are a parking permit. They are not associated with a particular vehicle (and thus registration plate). As such, it is not possible directly to whitelist blue badge holders as a category of driver.

- The County Council could legally permit disabled drivers to register for their vehicle to be exempted, however we understand from officers that this would be difficult to manage and enforce.
- Blue badge holders would need to go through a process of registering a specific vehicle. This is because blue badges are a parking permit, and are not associated with a particular vehicle.
- It seems likely that the County Council would be very wary of such an exemption. Firstly, there would be the administrative difficulty of adding a large number of new vehicles to exempt, although if the criteria set out a clear Petersfield/Romsey zone of people who could apply this might be more acceptable. Moreover, however, the Traffic Penalty Tribunal (TPT) could take the view that allowing disabled exemptions is not reasonable on Mill Road because it would create a clear inconsistency with the other bus gates in Cambridge. In other words, a change for Mill Road would actually require a much more significant policy change that would have knock-on effects elsewhere.
- The previous situation, of very large numbers of vehicles passing through Mill Road, was actively causing new disabilities – Mill Road is in the top 10 collision blackspots across the whole of the County of Cambridgeshire. High numbers of vehicle using a narrow street are not compatible in safety terms with high numbers of walking and cycling, including for parents shopping with children. Collision data can be seen on sites such as Crashmap and CycleStreets Bikedata:  
<https://bikedata.cyclestreets.net/collisions/#16/52.198278/0.141269>
- It should be noted that there are many types of disability, only a subset of which involve wheelchair access. For instance, partially-sighted people may be able to use the bridge without hindrance but may not be permitted to drive.
- There are a wide range of improvements that need to be made for all disabled users, including wheelchair users, to Mill Road. These are as follows, but most of them are not possible to do if through-traffic returns, because they involve improving pavement provision. These could all be done cheaply and quickly:
  - Addition of disabled parking, regularly along the street right outside shops; this would mean wheelchair users and those with mobility difficulties would no longer need to park further away and then wheel/walk longer distances.
  - Removal and consolidation of obstructive signs
  - Moving cycle parking off the pavement into the road as new buildouts
  - Addition of delivery bays for traders to avoid the temptation to block pavements
  - Increased numbers of crossings
  - Replacing beg-button crossings with zebra crossings

- The reduced traffic means significantly improved air quality for those with asthma
- Reducing yellow line restrictions
- Addition of general parking spots
- Adding parklets or seating areas within buildouts in the current road space would enable pavements to be kept clear of tables/chairs, giving a clear path for wheelchair users and avoiding confusion by assistance dogs.
- Encouraging police enforcement against pavement parking
- Removing the now-unnecessary traffic lights at Gwydir Street that cause delays, and which cause increased effort for handcyclists
- Reduction in noise due to less traffic, which may help those suffering from hearing impairments or cognitive impairments
- The following would be good to implement in the medium term:
  - Introduction of a shuttle-bus (and increased frequency of the Citi 2)
  - Continuous pavements at sideroads
  - Increased dropped kerbs
  - Wider pavements