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**COMMITTEE:** SOUTH WEST      **REF NO:** SWAC/18/22  
**DATE:** 7<sup>TH</sup> MARCH 2019  
**SUBJECT:** PROPOSED BUS STOP CLEARWAYS  
**REPORT AUTHOR:** MICHAEL NEWSHAM  
**HEAD OF SERVICE:** MARTYN FULCHER

***Short description of report content and the decision requested:***

This report is regarding proposals to install bus stop clearway restrictions at a number of bus stops at various locations on the route of Service 16 and at one bus stop on the route of Service 15. It refers to objections that have been made against some of the proposals. The SW Area Committee is requested to consider the matter, determine the objections and authorise any works accordingly.

***List of Appendices included in this report:***

- a) *Appendix A – Consultation letters*
- b) *Appendix B – Consultation plans and public notices*
- c) *Appendix C – Objections to proposals*

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***This report was prepared after consultation with:***

*Internal consultees*

*Helen Pluck, Chief Operating Officer*

*Clare Dawson-Dulieu, Acting Legal & Democratic Services Operations Manager*

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*External consultees*

***The following policies form a context to this report:***

*(all relevant policies must also be referred to in the body of the report)*

*Building A Better Ipswich*

**LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW**

*(papers relied on to write the report but which are not published and do not contain exempt information)*

- 1.
- 2.
- 3.

**OTHER HELPFUL PAPERS**

*(papers which the report author considers might be helpful – this might include published material)*

- 1.
- 2.
- 3.

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## **1. Introduction & Background**

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- 1.1 The Council has a responsibility to provide bus stops in Ipswich, and discretionary powers to provide bus stop clearway restrictions which are important as they help to ensure that bus passengers can easily and safely board and alight from buses.
- 1.2 Ipswich Buses Ltd operate a number of bus services in Ipswich, including Service 16 which operates from the town centre on a loop to the Maidenhall and Stoke Park areas, including Heatherhayes, Broomhayes, Halifax Road, Fountains Road and Belstead Road.
- 1.3 The Council has been working jointly with Suffolk County Council (SCC) to complete a previous project to install raised bus stop kerbs on the route of Service 16. The installation of raised bus stop kerbs helps to enable bus passengers to get on or off buses by removing the gap that would usually otherwise occur between the floor of the bus and the kerb. This is important for those passengers who are elderly or who have physical disabilities, as well as those with other mobility problems and passengers with prams or buggies.
- 1.4 As such, the Council has recently carried out consultations with affected residents on proposals to do one or more of the following, including in each case the installation of raised bus stop kerbs:
  - \* relocate or remove bus stops;
  - \* install new bus stop clearway restrictions;
  - \* extend the length of existing bus stop clearway restrictions; and
  - \* change the times at which existing bus stop clearway restrictions are in force.
- 1.5 Where the proposals included removing or relocating a bus stop, a public notice was placed on the bus stop in question in order to consult with affected passengers. Copies of the consultation letters to which objections or representations have been received are attached to this report as Appendix A. Copies of the consultation plans and public notices showing the locations and details of the proposals to which objections and representations have been received are attached to this report as Appendix B. This report does not include details of proposals made to which there were no objections or representations received.
- 1.6 Bus stop clearway restrictions make it an offence for vehicles (except buses and certain other vehicles allowed in law) to stop or park at the bus stop during the times at which they are in force. They are shown by a thick yellow line on the carriageway and the installation of a small plate.
- 1.7 The provision of bus stop clearway restrictions is important as without them bus stops can often be blocked by parked vehicles, meaning that

buses cannot pull up flush with the kerbs. In some cases, passengers are forced to board or alight from the bus in the middle of the carriageway which is not safe, and for passengers who are elderly or who have physical disabilities could be impossible.

- 1.8 The standard length for bus stop clearway restrictions that the Council now uses is 23 metres in order to allow space for a bus to manoeuvre into the bus stop, pull up flush with the raised kerbs and then manoeuvre back out, but there are a number of bus stop clearways installed in the past of a shorter length. In respect of the proposals made for bus stop clearway restrictions as part of the consultations referred to in this report, all of them would be in force from 7am to 7pm Monday to Saturday to match the operational times of Service 16.
- 1.9 In respect of the provision and positioning of bus stops, officers try to ensure that bus stops are approximately equidistant from each other and, in accordance with government guidance, that passengers do not have to walk more than 400 metres to get to or from the bus stop.
- 1.10 Furthermore, it is a long established Council practice not to locate bus stops outside the front of residential properties if possible but as many bus services operate along residential roads it is often not possible to meet this objective.
- 1.11 The Council has also recently carried out a separate consultation on proposals to install new bus shelters at certain bus stops, which in some cases included proposals to extend existing bus stop clearway restrictions to the standard 23 metre length. One such proposal is at the existing inbound bus stop on Dickens Road outside the Triangle Community Centre on the route of Ipswich Buses Service 15.
- 1.12 The Council has received 4 objections, excluding those that have been withdrawn, to some of the proposals referred to above, from affected residents or passengers. Copies of the objections are attached to this report as Appendix C.
- 1.13 The purpose of this report is to consider the objections to the proposals, determine how to proceed and authorise any further steps.

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## **2. Details of objections and discussion**

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### First objection – Dickens Road, outside Triangle Community Centre

- 2.1 The first objection relates to the proposal to extend the length of the existing bus stop clearway restriction at the inbound bus stop on Dickens Road outside the Triangle Community Centre to 23 metres. The objection has been received from the resident at 15 Dickens Road and the principal points of objection are as follows:

(i) loss of on-street parking space and the impact that this would have on the resident, visitors and those needing to load or unload goods for the property; including the resident needing to park on the highway when heavy snow and icy conditions mean vehicular access cannot be gained to the resident's driveway;

(ii) specific concerns that the resident could receive a Penalty Charge Notice (PCN) if stopping briefly in order to move bins that had been left on the driveway of the property in order to gain vehicular access;

(iii) cost to the resident of having to extend the existing dropped crossing, if permission to do this were given, in order to more easily have access for parking two vehicles on the resident's driveway; and

(iv) concerns that the proposal would devalue the property.

The objector also made comments about the separate proposal to install a bus shelter at this bus stop, but has not formally objected to this.

2.2 Officers comments on the points made in paragraph 2.1 are as follows:

(i) it is accepted that the extension of the bus stop clearway restriction will reduce the amount of on-street parking. However, there is no right to park a vehicle on the highway, including outside a persons own residential property or business, although it is a common concession. In this case it is noted that the property in question has off-street parking available. Additionally, there is some on-street unrestricted parking available on the rest of this section of Dickens Road. The Council is not aware of any specific reason why it should be any more difficult for the resident to gain access to the driveway of their property during periods of heavy snow or icy conditions than for any other resident elsewhere in Ipswich.

(ii) although it is a contravention to stop a vehicle on a bus stop clearway restriction, the Council's Parking Services team have confirmed that they would not issue a Penalty Charge Notice (PCN) in circumstances where the vehicle was clearly stopped only for so long as was necessary to allow bins that had been left on the driveway of a property adjacent to the bus stop clearway restriction to be moved so that the vehicle could gain access.

(iii) planning permission would not be required for the resident to remove the fence at the front of the property and extend the existing dropped crossing, but the consent of SCC as the Highway Authority would be required.

(iv) officers are not able to either confirm or deny whether this would be the case.

## Second and third objections – 87 Fountains Road

2.3 The second and third objections relate to the proposals to relocate the existing bus stop outside 87 Fountains Road by a distance of approximately 5 metres, extend the length of the existing bus stop clearway restriction to 23 metres, and extend the times at which the bus stop clearway restriction is in force from 8am to 6pm Monday to Saturday to 7am to 7pm Monday to Saturday. Neither objector has provided their postal address, but it seems clear that both are local residents, one of whom may be the resident of 87 Fountains Road. The principal points of objection are as follows:

(i) loss of on-street parking, with concern that people may park partly on the footway as a result;

(ii) no need to change the times of operation of the bus stop clearway;

(iii) too many bus stops on this section of Fountains Road, which are too close together;

(iv) increase in size of buses used on this route is part of the problem;

(v) bus stop is rarely used;

(vi) a dropped crossing exists outside 79 Fountains Road and as such the extension to the length of the bus stop clearway is unnecessary as this section of road is always clear of parked vehicles; and

(vii) proposal will adversely affect the value of the objector's property.

2.4 Officers comments on the points made in paragraph 2.3 are as follows:

(i) in respect of the loss of on-street parking, the same arguments apply as stated in the response in paragraph 2.2 (i) to the same concerns raised in that proposal. In respect of the possibility of an increase in parking on the footway, it is an offence to drive on a footway except where it has been lowered to provide access to an adjacent property and the Council cannot be held responsible for the actions of those people who choose to act in this way.

(ii) the proposed change in the times of operation of the bus stop clearway are because the existing times of operation do not include the first and last bus on this route. It is considered important to ensure that all buses can pull up flush with the kerb for the reasons stated earlier in this report so that any passengers with physical disabilities or other mobility problems have the same right of access to public transport as anyone else. To avoid numerous variations in the times of operation of bus stop clearways across the town, the Council utilises a set of standard times of operation.

(iii) this is accepted and when officers were considering proposals for this area this included proposals to remove at least one of the bus stops on Fountains Road. However, no proposal to do this could be found that was both acceptable on road safety grounds and didn't result in passengers having to walk further to their nearest bus stop than was considered appropriate.

(iv) this is accepted, but decisions on the size of vehicles to use on any given bus route are made by the operator of the bus service in question, not by the Council.

(v) the reason for the provision of raised bus stop kerbs and bus stop clearway restrictions is to help enable accessibility to bus services for those members of the community who may have difficulty in gaining access due to physical disabilities or other mobility impairments. As such, the number of passengers that use any given bus stop is not directly relevant.

(vi) the existing bus stop clearway restriction already covers the whole of the frontage of 79 Fountains Road. The proposal to move the bus stop by approximately 5 metres is to ensure that the proposed additional length of the bus stop clearway is not placed outside the front of 77 Fountains Road in accordance with the Council's longstanding practice referred to in paragraph 1.10. There would still be sufficient unrestricted on-street parking adjacent to the side of 87 Fountains to park up to 2 cars. There is a dropped crossing present.

(vii) officers are not able to either confirm or deny whether this would be the case.

#### Fourth objection – relocation of bus stop to 157-167 Belstead Road

- 2.5 The fourth objection relates to the proposal to relocate the bus stop currently outside 13 Heatherhayes to a new position adjacent to land at the front of the flats at 157 – 167 Belstead Road and install raised kerbs and a bus stop clearway restriction. This has been proposed in order to reduce the impact on the loss of on-street parking to residents. The objector has not provided their postal address but it appears clear that they are a resident of the flats. The objection has been made on the grounds that the bus stop will reduce the visibility of oncoming traffic when exiting the car park for the flats.
- 2.6 Officers comments on this objection are that the proposed position of the bus stop is at least 40 metres away from the car park entrance/exit and buses will only stop as needed to pick up or drop off passengers. Service 16 operates hourly Monday to Saturday with no services after 7pm and so in any given hour the length of time when a bus will be stopped at the bus stop will be minimal. As such, officers do not consider that the proposed location of the bus stop is unacceptable on these grounds.

- 2.7 Comments were also received about this proposal by telephone regarding the proximity of the proposed bus stop to the junction with Heatherhayes from two members of the public who did not wish to make an official objection or representation in writing. The proposed position of the bus stop is over 30 metres away from the junction and as such officers do not consider that it is unacceptable on these grounds.

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### **3. Relevant Policies AND Area Action considerations**

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- 3.1 The 'A High Sustainability Environment' priority within the 'Building A Better Ipswich (2017)' Corporate Plan includes the aim to 'Work with partners to reduce pollution and ensure there is a high quality public transport network'. The provision of bus stop clearway restrictions helps to meet this aim by trying to ensure that bus passengers are able to safely get on and off buses.
- 3.2 It should be noted that the Area Committee is not being asked to provide any funds for these proposed works.

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### **4. Options Considered / Under Consideration**

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- 4.1 Essentially, in respect of each of those proposals to which there have been objections or representations submitted, there are two main options for the Committee to consider, which will result in either upholding or overruling the objections.
- \* Option 1 – to install or extend bus stop clearway restrictions with the times of operation as proposed, including moving the affected bus stop where applicable.
- \* Option 2 – to uphold the objection(s) and not install or extend the bus stop clearway restriction with the times of operation as proposed, and to leave the bus stop in its current position.
- 4.2 In each case, officers recommendation is to proceed with Option 1.
- 4.3 In respect of the proposals for the bus stop at Dickens Road outside the Triangle Community Centre, this is because Option 2 would result in the bus stop clearway being of insufficient length to ensure that buses have the necessary manoeuvring space to be able to pull up flush with the raised kerbs and as such this space could be blocked by parked vehicles.
- 4.4 In respect of the proposals for the bus stop adjacent to the side of 87 Fountains Road, the same reasons apply, but in addition the times of operation of the existing bus stop clearway restriction do not cover all of the buses that use this bus stop.



- 4.5 In respect of the proposals to relocate the bus stop outside 13 Heatherhayes to a position adjacent to land at the front of the flats at 157 – 167 Belstead Road, this is because Option 2 would result in leaving the bus stop where it is and either not installing a bus stop clearway restriction or carrying out a separate consultation on a proposal to do so. The existing bus stop is in front of residential properties and the limited length of kerbing available to install raised bus stop kerbs would result in a shorter length of raised kerbs being installed than usual.

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## 5. Consultations

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- 5.1 Affected residents and IBC/SCC ward councillors have been consulted on the proposals, as have Ipswich Buses Ltd and Suffolk Police. Copies of the consultation letters and plans are attached to this report as Appendix A and Appendix B respectively. Copies of the objections and representations received are attached to this report as Appendix C.

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## 6. Risk Management

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Risk Description	Consequence of risk	Risk Controls	Probability of risk occurring taking account of controls (scale 1-6) 1 – almost impossible 6 – very high	Impact of risk, if it occurred taking account of actions (scale 1 – negligible; 4 – catastrophic)	Actions to mitigate risk
Affected residents complain that they have not been properly consulted on the proposals.	The Council could be seen to be introducing changes without having carried out a proper consultation.	A letter with plan was delivered or posted to all affected residents giving them 21 days to object in writing.	2	2	As per risk controls.

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## 7. Environmental Impact Assessment

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- 7.1 There are no environmental impacts as a result of this report.

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## 8. Equalities and Diversity Implications

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- 8.1 The provision of a bus stop clearway restriction helps to keep the bus stop free from parked vehicles and so helps bus drivers pull the bus up flush with the kerb. This helps those people with mobility difficulties get on and off buses more easily and safely.

- 8.2 Other than these points, there are not considered to be any equality or diversity implications as a result of this report.

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## **9. Financial Considerations**

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- 9.1 There is no cost to the Area Committee as a result of these proposals, which will be funded from the successful match funded bid to SCC's On-Street Parking Account (OSPA) which totals £50,000. Quotes for these works will be received in due course at which point the level of works will be agreed. Any potential additional cost could be funded from the Council's existing public transport budgets.

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## **10. Legal Considerations**

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- 10.1 The Council has the power to provide bus stops and bus stop clearway restrictions by virtue of an agency agreement with SCC that permits the Council to exercise SCC's powers contained in the Road Traffic Regulation Act 1984 and the Traffic Signs Regulations and General Directions 2016 with their consent. In this case, SCC will be carrying out the works.

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## **11. Performance Monitoring**

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- 11.1 To ensure that the Committee's decision is communicated to the objectors by 4<sup>th</sup> April 2019.

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## **12. Conclusions**

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- 12.1 The provision of raised bus stop kerbs and bus stop clearway restrictions is important to ensure that bus passengers, especially those with mobility impairments, can easily and safely board and alight buses. Bus stop clearways need to be of sufficient length to enable a bus to manoeuvre into a bus stop so as to be flush with the raised kerbs and then manoeuvre out. They also need to operate at all times at which buses serve the bus stop in question in order to ensure that all passengers that use, or may wish to use, the bus stop have equal access to be able to do so.
- 12.2 The objections received to the proposals in this report have been given proper consideration. The report provides officers comments on the objections and why the reasons for accepting them are considered to be outweighed by the reasons for implementing the proposals as drafted. The Committee is asked to determine the objections accordingly.

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## **13. Recommendations**

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- 13.1 That the bus stop clearway restriction at the bus stop on Dickens Road outside the Triangle Community Centre be extended to 23 metres in length.**

Reason: To provide sufficient space for buses to manoeuvre flush against the existing raised kerbs at this bus stop in order to ensure that bus passengers can easily and safely board and alight from buses.

- 13.2 That the bus stop adjacent to the side of 87 Fountains Road be relocated as proposed and that the bus stop clearway restriction be extended to 23 metres in length with the times of its operation being extended so as to be from 7am to 7pm Monday to Saturday.**

Reason: To provide sufficient space for buses to manoeuvre flush against the proposed raised kerbs at this bus stop at all times at which it is currently served by buses in order to ensure that bus passengers can easily and safely board and alight from buses.

- 13.3 That the bus stop outside 13 Heatherhayes be relocated to a new position adjacent to land at the front of the flats at 157 – 167 Belstead Road and that a bus stop clearway restriction with a length of 23 metres be installed with the times of its operation being from 7am to 7pm Monday to Saturday.**

Reasons: In order to reduce the impact caused to local residents by the loss of on-street parking spaces as a result of the installation of the bus stop clearway restriction and to provide sufficient space for buses to manoeuvre flush against the proposed raised kerbs at this bus stop at all times at which it is currently served by buses in order to ensure that bus passengers can easily and safely board and alight from buses.