

COMMITTEE: NORTH WEST AREA **REF NO:** NWAC/18/18
DATE: 14 MARCH 2019
SUBJECT: PROPOSED BUS STOP CLEARWAYS
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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 Services 9 and 10. It refers to objections that have been made against some of the proposals. The NW 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
- c) Appendix C – Objections to proposals

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This report was prepared after consultation with:

Internal consultees

Helen Pluck, Chief Operating Officer

Shirley Jarlett, Head of People & Governance

Tom Minnican, Finance Operations Manager

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.

1. Introduction & Background

- 1.1 The Council has a responsibility to provide bus stops in Ipswich and discretionary powers to provide bus stop clearway restrictions, so 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 Services 9 and 10 which operate from the town centre to the Whitton and Castle Hill areas including Elmcroft Road and Fircroft 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 Services 9 and 10. 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 have mobility issues, as well as for passengers with prams or buggies.
- 1.4 As such, the Council has recently carried out consultations with affected residents on proposals to install bus stop clearway restrictions, in each case with the installation of raised bus stop kerbs.
- 1.5 Except where proposals have been deferred for further consideration, copies of the consultation letters to which objections or representations have been received are attached to this report as Appendix A, with associated plans showing the locations and details of the proposals attached as Appendix B. This report does not include details of proposals made to which there were no objections or representations received. Deferred proposals may come to the Committee at a future meeting if necessary to determine any objections.
- 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 have physical disabilities could be impossible.
- 1.8 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.

- 1.9 Furthermore, it is long established Council practice not to locate bus stops outside the front of residential properties if possible, however, as many bus services operate along residential roads it is often not possible to meet this objective.
- 1.10 In this instance, the Council has received 6 objections from affected residents or passengers. Copies of the objections are attached to this report as Appendix C.
- 1.11 The purpose of this report is to consider the objections to the proposals, determine how to proceed and authorise any further steps.

2. Details of objections and discussion

First objection – 46 Elmcroft Road

- 2.1 The first objection relates to the proposal to install a bus stop clearway restriction, in force at all times, at the existing inbound bus stop outside 46 Elmcroft Road. The objection has been received from the resident of 48 Elmcroft Road and the principal points of objection are as follows:
 - (i) Loss of on-street parking space;
 - (ii) The resident requests that the existing dropped crossing outside his house is extended as part of the works. This would allow access for parking two vehicles on his driveway and would harden the verge which is currently very muddy owing to vehicles parking or driving over it; and
 - (iii) Concerns that the proposal would devalue the property and affect its saleability.
- 2.2 Officers comments on the points made in paragraph 2.1 are as follows:
 - (i) It is accepted that the installation 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 person's own property, 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 Elmcroft Road.
 - (ii) The Council does not have the power to extend dropped crossings as this is a SCC function in their capacity as the Highway Authority.
 - (iii) Officers are unable to confirm or deny whether this would be the case.

Second and third objections – 105/105A Fircroft Road

2.3 The second and third objections relate to the proposal to install a bus stop clearway restriction, in force at all times, at the existing outbound bus stop outside 105/105A Fircroft Road. One of the objections has been received from the residents of 109 Fircroft Road. The other is believed to be from the landlord of 105/105A and 107/107A Fircroft Road. The principal points of objection are as follows:

(i) Loss of on-street parking, with concern that parking on the grass verge may increase as a result and affect visibility when reversing a vehicle off the driveway. The resident requests that if the bus stop clearway proposal is approved that posts are installed on the edge of the grass verge outside his property to prevent verge parking; and

(ii) A suggestion that the bus stop should be moved closer to the junction with Congreve Road where the verge and dropped crossings are wider so vehicles could be parked on the latter. The objector suggests that this would be a better location in respect of vehicles overtaking buses.

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 grass verge, it is an offence to drive on a verge or to damage the highway and the Council cannot be held responsible for the actions of those people who choose to act in this way. However, in respect of the request for the installation of some posts or bollards, officers support this request and will discuss the possibility of this being included in the proposals with SCC.

(ii) Relocating the bus stop as suggested would result in it being placed outside another residential property. It is appreciated that having a bus stop outside a person's home is not popular and so the Council tries to avoid moving bus stops from outside one residential property to another as it will usually lead to the complaint from the affected resident(s) that if the bus stop can be moved once then it can be moved again. In this case it would also be necessary to remove a mature tree from the verge. Furthermore, whilst relocating the bus stop as suggested would result in it being more equidistant between the previous and next bus stops, it would also result in residents of Pearcroft Road and Aldercroft Road and their visitors having to walk further to access these bus services. Finally, the bus stop has existed in this location for many years and officers are not aware of any reports of any problems in this respect. As such, officers do not consider that the current location of the bus stop is unacceptable on these grounds.

Fourth objection – 108 Fircroft Road

2.5 The fourth objection relates to the proposal to install a bus stop clearway restriction, in force at all times, at the existing inbound bus stop outside 108 Fircroft Road. The objection has been received from the residents of 110 Fircroft Road and the principal points of objection are as follows:

(i) The proposals are a waste of money as bus drivers can lower the floor of the bus and as such passengers do not have any problems getting on and off buses;

(ii) The proposals are unjustified and unnecessary as the bus stop is rarely used;

(iii) The proposed bus stop clearway restriction will not help buses to manoeuvre onto the bus stop as buses already have clear and easy access;

(iv) The proposals will detract from the value of the household and restrict and limit access as well; and

(v) The works to install the raised bus stop kerbs and the bus stop clearway restriction will cause unreasonable disruption and inconvenience.

2.6 Officers comments on the points made in paragraph 2.5 are as follows:

(i) It is correct that modern buses have floors which the driver can lower to help passengers with mobility problems get on or off buses. However, the height of standard kerbing means that whilst this reduces the gap between the ground and the floor of the bus it doesn't usually make it completely level. For most passengers, including some with mobility problems or those with prams or buggies, this is not a significant problem, but for others it can be. Installing raised bus stop kerbs are therefore an improvement to accessibility to and from buses.

(ii) 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.

(iii) It is accepted that buses will be able to manoeuvre onto the bus stop at the current time whenever it is clear of parked vehicles. However, this cannot be guaranteed and the absence of any parking restrictions means that anyone can park blocking the bus stop without this being a civil parking contravention. If bus drivers are to be able to pull a bus up flush against the new raised bus stop kerbs, then it is

important that the necessary parking restrictions are also provided to help ensure that they can do this at all times when the bus service operates, not just when it might otherwise be clear of parked vehicles.

(iv) Officers are unable to confirm or deny whether the proposals would detract from the value of the objector's property. In respect of the point about limiting access (to off-street parking), the proposals would not result in the removal or reduction of any existing dropped crossings.

(v) Whilst it is accepted that, if approved, the works to install the raised bus stop kerbs and the bus stop clearway restriction will cause some disruption this should be minimal.

Fifth and sixth objections – 156 Fircroft Road

2.7 The fifth and sixth objections relate to the proposal to install a bus stop clearway restriction, in force at all times, at the existing inbound bus stop outside 156 Fircroft Road. One of the objections has been received from the resident of 156 Fircroft Road. The other objector has not specified a postal address. The principal points of objection are as follows:

(i) Buses already block driveways of adjacent properties by waiting time at this bus stop and the installation of a bus stop clearway restriction will only encourage bus drivers to do this even more;

(ii) Loss of on-street parking for trade vehicles when visiting to carry out works to adjacent properties;

(iii) The property would be devalued;

(iv) The proposals are unnecessary as the bus stop is rarely blocked by parked cars; and

(v) Raised kerbs should be installed at other bus stops where there is a greater need.

2.8 Officers comments on the points made in paragraph 2.7 are as follows:

(i) It is accepted that Ipswich Buses use this bus stop as a timing point and this could result in adjacent driveways being blocked for a few minutes on those occasions when a bus is early, but installing raised bus stop kerbs and a bus stop clearway restriction do not change this (i.e. the situation already exists).

(ii) 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.

(iii) Officers are unable to confirm or deny whether this would be the case.

(iv) The same arguments apply as stated in the response in paragraph 2.6 (iii) to a similar point raised in that proposal.

(v) As stated in paragraph 1.3, these proposals are part of a project to complete the provision of raised bus stop kerbs on the route of Services 9 and 10, both of which are principal bus services operating a frequent service seven days per week during the day and the evening.

3. Relevant Policies AND Area Action considerations

- 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.

4. Options Considered / Under Consideration

- 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 bus stop clearway restrictions with the times of operation as proposed.
- * **Option 2** – to uphold the objection(s) and not install the bus stop clearway restriction with the times of operation as proposed.
- 4.2 In each case, officers recommendation is to proceed with Option 1. This is because Option 2 could result in these bus stops being blocked by parked vehicles, meaning that bus passengers, especially those with mobility problems, would find it difficult or in some cases impossible to safely board and alight buses. Passengers may be forced to attempt to board or alight buses in the carriageway, which is not safe. The benefit of the new raised bus stop kerbs would not be fully realised.

5. Consultations

- 5.1 Affected residents and IBC/SCC ward councillors have been consulted on the proposals, as have Ipswich Buses Ltd and the Suffolk

Constabulary. 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.

6. Risk Management

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.

7. Environmental Impact Assessment

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

8. Equalities and Diversity Implications

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.

9. Financial Considerations

9.1 There are no costs attributed 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.

10. Legal Considerations

- 10.1 The Council has the power to provide bus stops and bus stop clearway restrictions. This power derives from 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.

11. Performance Monitoring

- 11.1 To ensure that the Committee's decision is communicated to the objectors by 11th April 2019.

12. Conclusions

- 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.

13. Recommendations

- 13.1 That a bus stop clearway restriction, in force at all times, be installed at the inbound bus stop outside 46 Elmcroft Road, in accordance with the plan shown in Appendix B of this report.**

Reason: To ensure that bus passengers can easily and safely board and alight from buses.

- 13.2 That a bus stop clearway restriction, in force at all times, be installed at the outbound bus stop outside 105/105A Fircroft Road, in accordance with the plan shown in Appendix B of this report.**

Reason: To ensure that bus passengers can easily and safely board and alight from buses.

13.3 That a bus stop clearway restriction, in force at all times, be installed at the inbound bus stop outside 108 Fircroft Road, in accordance with the plan shown in Appendix B of this report.

Reason: To ensure that bus passengers can easily and safely board and alight from buses.

13.4 That a bus stop clearway restriction, in force at all times, be installed at the inbound bus stop outside 156 Fircroft Road, in accordance with the plan shown in Appendix B of this report.

Reason: To ensure that bus passengers can easily and safely board and alight from buses.