



**Cabinet**  
11 November 2019

**Report from the Strategic Director  
of Regeneration and Environment**

**Update on A404 Motorcycles in Bus Lanes Trial**

<b>Wards Affected:</b>	Sudbury, Wembley Central, Tokyngton, Stonebridge, Harlesden, Kensal Green, Queens Park
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
<b>No. of Appendices:</b>	0
<b>Background Papers:</b>	n/a
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**1.0 Purpose of the Report**

- 1.1 To seek Cabinet approval to make permanent arrangements to allow motorcycles (including all power two wheelers) to use the bus lanes on the A404 Harrow Road

**2.0 Recommendation(s)**

That Cabinet:

- 2.1 Authorises the Head of Highways and Infrastructure to undertake the statutory consultation on the proposal to make a permanent order to allow motorcycles to use the bus lanes on the A404 in the borough of Brent.
- 2.2 Delegates authority to the Strategic Director for Regeneration and Environment, in consultation with the Lead Member for Environment, to consider any

objections and representations to the proposal to allow motorcycles (including all power two wheelers) to use the bus lanes on the A404 in the borough of Brent, and to make the decision on whether to proceed with the proposed permanent traffic order and amend any traffic management orders, as appropriate.

- 2.3 Authorises the Head of Highways and Infrastructure to undertake the necessary consultation, including statutory consultation, on the proposal to allow motorcycles to use all bus lanes borough wide in Brent.
- 2.4 Delegates authority to the Strategic Director for Regeneration and Environment, in consultation with the Lead Member for Environment:- (i) to consider any objections and representations to the proposal to allow motorcycles (including all power two wheelers) to use all bus lanes borough wide and thereafter, (ii) to make the decision on whether to proceed with the proposed permanent traffic order to allow motorcycles to use all bus lanes borough wide in Brent and amend any traffic management orders, as appropriate.

### **3.0 Detail**

#### **The pilot scheme**

- 3.1 On 27th March 2017 the Highways Committee considered a report on the benefits of allowing motorcycles to use bus lanes. The Committee instructed the Head of Highways and Infrastructure to undertake the necessary statutory procedure and necessary work to enable a pilot scheme to allow motorcycles to use bus lanes on the A404 Harrow road. Arrangements were to be made under experimental powers for a period of 18 months.
- 3.2 It was agreed that the Head of Highways and Infrastructure would consider all representations made during the experimental period, and report back to a future meeting of the Highways Committee with the results of the trial and make recommendations for permanently allowing motorcyclists to use all bus lanes across the borough.
- 3.3 Prior to commencing with the experimental order, officers conducted a 28-day consultation with the Metropolitan Police, TfL, the emergency services and neighbouring boroughs and whilst further information was requested by TfL in relation to potential delays with bus journey times no representations were made.
- 3.4 The pilot commenced on 26 March 2018. There was a delay as the pre-trial preparation measures necessary to ensure all the bus lanes on the A404 were suitable for motorcycle use took longer than anticipated. This included assessing the layout (width), traffic flow, current accident data, existing signage, safety inspections, remedial work and the design and implementation of new signage which include a motorcycle symbol to inform riders they are permitted to use the bus lane
- 3.5 This resulted in some bus lanes being resurfaced to fill pot holes and ruts and some worn metal surface utility company inspection covers being replaced. A stage 1 road safety audit was completed to ensure there were no hazards.

- 3.6 During the review of the existing Traffic Management Order (TMO) for the bus lanes, officers discovered a TMO did not exist for some bus lanes, and therefore a consolidation TMO for all bus lanes in the borough had to be conducted.

### **Current situation**

- 3.7 The Highways Committee has since been disbanded and in accordance with the Council's constitution, the decision regarding the proposed experimental traffic order must be made by Cabinet, or be specifically delegated by Cabinet, as it is a high level decision that affects more than 4 wards in the borough.
- 3.8 Members of the Highways Committee agreed in March 2017 that officers would consider the following information in the review to establish if the trial had been a success:
- casualty numbers for all road user groups
  - bus journey times, impact on bus journeys
  - stakeholder views
  - traffic surveys to establish if motorcyclists are using the bus lanes
- 3.9 The casualty data analysis shows that between 2017 and 2018 (April to December) the number of casualties on the A404 has reduced from 252 to 225 and the number of collisions has reduced from 152 to 145. In addition, the number of motorcyclists injured has reduced by 5 from 39 to 34.
- 3.10 The pilot scheme did not result in any delays on bus journey times, information was collated before and during the trial and this indicates there were no adverse effects.
- 3.11 Whilst the trial has been in operation, officers have not received any complaints, and there have been a couple of emails from motorcyclists who support the trial. Officers have contacted stakeholders including the bus companies and they have not experienced any problems relating to motorcycles affecting bus services provided along this route.
- 3.12 Traffic surveys were conducted whilst the trial was in operation and these indicated that all the bus lanes were well used by motorcyclists with between 30 and 150 motorcycles using each section every day. Of the motorcyclists using the bus lanes 97% were within the speed limit.
- 3.13 Currently motorcycles are allowed to use all bus lanes on Transport for London's road network and in the following boroughs:
- Bromley (all)
  - Hammersmith and Fulham (some)
  - Kingston (some)
  - Merton (all)
  - Newham (all)
  - Richmond (some)
  - Sutton (all)
  - Waltham Forest (all)

- Wandsworth (all)
- Westminster (all)

3.14 In addition several other London Boroughs are considering allowing motorcyclists to use their bus lanes in support of Vision Zero, working towards the elimination of road traffic deaths and serious injuries. Along with reducing vehicle emissions, which is a key policy in the Mayor's Transport Strategy.

### **Next steps**

- 3.15 Officers recommend that arrangements are made for the consultation to be carried out with the Metropolitan Police, TfL, the emergency services and neighbouring boroughs for a permanent order to enable motorcyclists to use the bus lanes on the A404. Following this, as part of the statutory consultation requirements regarding the proposed permanent traffic management order will be conducted which, includes placing a notice in the London Gazette and local press.
- 3.16 Subject to consideration of the results of the consultation process, if the Strategic Director for Regeneration and Environment, in consultation with the Lead Member for Environment, decides to proceed with the making of the proposed permanent traffic order, officers will then proceed with the implementation of the permanent traffic order.
- 3.17 The experimental traffic order expired at the end of September 2019, after which the previous Traffic Management Order applies which prohibits motorcycles in bus lanes, until the permanent order is made.
- 3.18 However, arrangements will be made to continue not to enforce against motorcycles using bus lanes on the A404 in Brent, and signage will remain in place pending the consultation results and the forthcoming decision of the Strategic Director on whether to make a permanent traffic order in respect of the A404 road.
- 3.19 Officers will assess all bus lanes in the borough and if it is considered that all bus lanes in the whole borough are suitable for motorcycle use, officers will recommend that this is introduced borough wide on a permanent basis and will carry the preparation measures as detailed in 3.4 above. What is proposed in this report is that Cabinet authorises the Head of Highways and Infrastructure to carry out the necessary consultation, including statutory consultation, regarding this proposal to allow motorcycles to use all bus lanes borough wide in Brent. This report also seeks the Cabinet's approval to delegate authority to the Strategic Director for Regeneration and Environment, in consultation with the Lead Member for Environment, (i) to consider any objections and representations in the consultation process to the proposal to allow motorcycles to use all bus lanes borough wide and thereafter, (ii) to make the decision on whether to proceed with the proposed permanent traffic order to allow motorcycles to use all bus lanes borough wide in Brent and amend any traffic management orders, as appropriate.
- 3.20 Subject to the outcome of the assessments officers predict motorcyclists will be able to use all bus lanes in Brent by 2021/22.

## Key Dates

The table below details the timelines and report to Cabinet.

Activity	Target date
Go live - Pilot began	26 March 2018
Experimental traffic order expires	25 September 2019
Lead Members Brief	4 September 2019
Leader's Briefing	21 October 2019
Cabinet	11 November 2019
Consultation – Stakeholder and Statutory (42 days)	November/December 2019
Permanent traffic order comes into force on A404	January 2020
Assessments of bus lanes borough wide and consultations	2020/21
Motorcyclist to use all bus lanes	2021/22

### 4.0 Financial Implications

- 4.1 The cost to implement the permanent order for the A404 is £2,500, which includes the drafting of the order and statutory consultation. It will be funded from the Transport for London Local Transport discretionary fund 2019/20 allocation of £100,000.
- 4.2 The total cost to implement this boroughwide will be approximately £80,000 and it will be funded from Transport for London Local Implementation Plan funding allocation 2020/21
- 4.3 The Council issues penalty charge notices to vehicles entering bus lanes using CCTV. Motorcycles account for a small minority of road traffic and the pilot scheme should not have a significant impact on enforcement arrangements and costs.

### 5.0 Legal Implications

- 5.1 A traffic authority in Greater London (which applies to the Council in this scenario) is responsible for deciding whether or not to allow motorcycles into its bus lanes in roads for which it is responsible in its borough area and for making Traffic Management Orders in this regard. Taxis and bicycles are currently allowed to use bus lanes.
- 5.2 Statutory consultation will need to be carried out under the RTRA 1984 before a decision can be made by the Strategic Director to make the proposed new traffic regulation order to allow motorcyclists and power two wheelers to use the bus lane on the A406 Harrow Road on a permanent basis.
- 5.3 If the Strategic Director decides to proceed with allowing motorcyclists and power two wheelers to use the bus lane on the A406 Harrow Road on a permanent basis, the Council will be required to make a traffic regulation order under section

6 and Schedule 1 of the Road Traffic Regulation Act (RTRA) 1984 to bring this proposal into effect. This will require amendment of one or more Council's current traffic management orders. This also applies to the proposal to allow motorcycles to be used on all bus lanes in Brent following the consultation process.

- 5.4 Under paragraph 3.12 of Part 3 of the Council's Constitution, strategic and high level highways and transportation matters which includes decisions which affect four or more wards in the borough are outside the scope of the delegated authority of the Strategic Director for Regeneration and Environment and require a decision by the Cabinet. The Cabinet has scope to delegate specific decisions in this regard to the Strategic Director.

## **6.0 Equality Implications**

- 6.1 S149 of the Equality Act 2010 provides that the Council must have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic, and those who do not.
- 6.2 The proposals in this report have been subject to screening there are considered to be no diversity implications that require full assessment.
- 6.3 The trial proposed does not have different outcomes for people in terms of race, gender, age, sexuality or belief as road users represent all these groups.

## **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 The permanent traffic order process has a statutory consultation requirement for the Council to place a notice of intent in the local press and allow 28 days for responses, this is longer than normal as it could affect neighboring boroughs.
- 7.2 Prior to this officers will consult with the Metropolitan Police, TfL, the emergency services and neighbouring boroughs.

## **8.0 Human Resources/Property Implications (if appropriate)**

- 8.1 There are no direct staffing implications arising from this report.

**Report sign off:**

**Amar Dave**

Strategic Director of Regeneration  
and Environment.