

Report of DIRECTOR OF CITY DEVELOPMENT

Report to EXECUTIVE BOARD

Date: 7 MARCH 2012

Subject: CAMERA ENFORCEMENT OF BUS LANES - PHASE 2

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. In November 2005, new regulations enabled local authorities outside London to carry out camera enforcement of bus lanes under the provisions of Schedule 3 of the Road Traffic Act 1991. A number of local authorities have adopted these powers to enforce bus lanes using cameras.
2. The West Yorkshire Integrated Transport Authority (Metro) and the bus operators have reported the use of bus lanes by other vehicles as a major issue affecting service punctuality and encouraged the Council to adopt bus lane enforcement as a solution. Without such a scheme buses will continue to encounter delays and problems with reliability, making bus use an unattractive travel option to the car and undermining congestion measures and the beneficial impacts of bus priority schemes.
3. The Police have many competing demands for their resources and as a result it has not been possible for bus lanes to be enforced sufficiently to achieve the required reliability. In turn, this means that offence levels are higher than they would be otherwise.
4. Following approval of the Camera Enforcement of Bus Lanes - Pilot Scheme reported to the Chief Officer, Highways and Transportation on 9 March 2009, Leeds obtained type approval from the Department for Transport (DfT) and introduced a pilot scheme which started enforcement on 22nd July 2011, at city centre locations.
5. The pilot scheme has seen regular reductions of around 80% in the number of bus lane offences on the enforced sites in the city centre. The scheme has received positive feedback from Metro and the bus operators.

6. This report therefore seeks approval in principle to extend the camera enforcement of bus lanes and bus gates to the remaining sites across Leeds and extend the benefits gained from the pilot to other bus lanes. This will be done following detailed feasibility and analysis of each site based on the number of offences recorded in surveys carried out in June 2011. Sites will be introduced in phases with detailed plans being submitted for approval to the Chief Officer, Highways and Transportation before implementation proceeds.
7. As part of the implementation process, a review of the Traffic Regulation Orders will be carried out to ensure they comply with the camera enforcement criteria. Subject to approval being gained, amendments allowing Hackney Carriages to use the bus lanes will also be made where they are not already included.

Recommendations

8. Executive Board is requested to;
 - I. note the successful introduction of the pilot bus lane enforcement scheme in the city centre.
 - II. give approval, in principle, to extend camera enforcement of bus lanes to the remaining bus lane sites across Leeds, including the introduction of cameras on new bus lane schemes, based on individual site assessments and at nil cost to the council.

1 Purpose of this report

- 1.1 The purpose of this report is to gain approval, in principle, to extend camera enforcement of bus lanes at the remaining bus lane sites across Leeds, and allow the introduction of cameras on new bus lane schemes.

2 Background information

- 2.1 In November 2005, new regulations enabled local authorities outside London to carry out camera enforcement of bus lanes provided that their area had been designated as a permitted/ special parking area under the provisions of Schedule 3 of the Road Traffic Act 1991 undertaking enforcement by way of the Decriminalised Parking Enforcement (DPE) provisions. A number of local authorities have adopted these powers to enforce bus Lanes.
- 2.2 The West Yorkshire Integrated Transport Authority (Metro) and the bus operators have reported the use of bus lanes by other vehicles as a major issue affecting service punctuality and encouraged the Council to adopt bus lane enforcement as a solution. Without such a scheme buses will continue to encounter delays and problems with reliability, making bus use an unattractive travel option to the car, undermining congestion measures and the beneficial impacts of bus priority schemes.
- 2.3 The Police have many competing demands for their resources and as a result it has not been possible for bus lanes to be enforced with any regularity to achieve the required reliability. In turn, this means that offence levels are higher than they would be otherwise.
- 2.4 Since the development of the guided bus-ways in north and east Leeds, Leeds has developed further bus priority schemes primarily using bus lanes. Examples include Abbey Road, Wellington Road, Burley Road, Chapeltown Road and Beeston Ring Road (near the Tommy Wass junction). These schemes rely on the bus lanes being free of other vehicles to maximise the benefits of the investment.
- 2.5 Leeds utilised the new powers available to them to develop a pilot scheme enforcing city centre bus lane locations using cameras. The enforcement cameras are automated and then all recorded events are independently reviewed by two Parking Services personnel before a ticket is issued.
- 2.6 A report to the Chief Officer, Highways and Transportation details the pilot Camera Enforcement of Bus Lanes scheme and was approved on 9 March 2009. The pilot scheme has been successfully operating since 22 July 2011.
- 2.7 The pilot scheme has seen offences reduce consistently since commencement. Surveys carried out prior to enforcement and pre-publicity recorded 9431 offences per week across 5 city centre sites. The number of offences following a publicity campaign and approximately 13-19 weeks of enforcement was 1685 per week, that is a reduction of 82%. Examples from other authorities suggest that this will continue to rise to 85%.

- 2.8 Appendix A shows the reduction in offences at each site between the pre-implementation surveys, and those recorded recently.
- 2.9 Violation surveys at the remaining bus lanes were carried out in June 2011 and showed a number of bus lanes having high levels of infringement. Details are shown on the table in Appendix B and the figures will be used to carry out the cost benefit analysis at each site and subsequent monitoring.

3 Main issues

- 3.1 Leeds City Council is a partner in the West Yorkshire Local Transport Plan. The Local Transport Plan has identified a number of targets which are connected to increasing the use of public transport in general and buses in particular, within which improved punctuality and reliability are critically important. Increased use of buses contributes towards the priorities in the City Priority Plan for the Sustainable Economy and Culture Board.
- 3.2 A schedule of the Phase 2 bus lane and gate locations which have been surveyed to determine the level of violation is shown in Appendix B. However each site will be subject to cost benefit analysis to determine the method and level of enforcement required.
- 3.3 Subject to Executive Board approval, the sites will be developed and assessed on their individual merits and presented to the Chief Officer, Highways and Transportation prior to implementation and enforcement commencing.
- 3.4 The main operational points are:
- i) enforcement will continue using cameras;
 - ii) community safety cameras will not be used;
 - iii) it is an automated system where each offence is reviewed by two operators before a penalty charge notices is issued;
 - iv) penalties follow the same legal process as parking penalty charge notices;
 - v) sites will be self financing and introduced based on individual cost benefit analysis at nil cost to the council.
- 3.5 Operational responsibility will lie with Parking Services within Environment and Neighbourhoods Directorate. The schemes will be funded from the future revenue generated from the new sites at nil cost to the council and approval for funding will be sought as required from Environment and Neighbourhoods Directorate.
- 3.6 A review of the Traffic Regulation Orders will be required at each site to ensure they comply with the camera enforcement criteria. Proposals are also being developed to allow Hackney Taxis to use all bus lanes, and subject to final approval being gained, the Traffic Regulation Orders changes required for this will be undertaken at the same time.
- 3.7 High Occupancy Vehicle (HOV) lanes can not currently be enforced using cameras due to the inability of remote camera systems to prove the number of car occupants. Technology to do this is in development but remains some way off in terms of routine operational use. A partnership with the police will continue to be

used for the enforcement of this regulation until the necessary technology is available.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Ward Members will be notified as the proposals are rolled out across the city. Consultations will be carried out with, internal departments, key stakeholders and emergency services as the phases of the project progress. Public consultations were carried out in the form of a staged publicity campaign for the pilot scheme. The message conveyed was that bus lane enforcement would be carried out in Leeds using cameras, however no specific sites were identified.

4.1.2 A further publicity campaign will be conducted during the introduction of Phase 2. This will be supported by new enforcement signs and refreshing road markings where it is required, to inform motorists prior to enforcement. The Executive Member for Development and the Economy has been consulted on the proposal.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An EDCI Screening was undertaken for this project. This identified that there may be concerns from drivers who have routinely used these bus lanes illegally. However, this will be addressed by the erection of new enforcement warning signs and the renewal of bus lane markings where it is required. This will be carried out prior to enforcement.

4.2.2 The EDCI notes that the proposed enforcement will improve journey times for passengers on buses who can often be from lower socio-economics backgrounds, as this is their primary means of transport. Also that this will improve journeys for law abiding drivers in the general traffic lanes by reducing tension and frustration felt through seeing drivers breaking the law and gaining an advantage.

4.3 Council policies and City Priorities

4.3.3 Development of bus priority measures supports the Local Transport Plan objectives to improve connectivity to support economic activity, to make substantial progress towards a low carbon transport system, and to improve quality of life. Furthermore, the scheme is consistent with the detailed aims and proposals of LTP3, particularly:

- Proposal 11: 'Strengthen demand management and enforcement to gain maximum benefit from measures to enable more sustainable choices' with a focus on the re-allocation of existing road space towards buses and improving the reliability and speed of buses;
- Proposal 13: 'Define and develop a core, high-quality, financially sustainable network of transport services that will provide attractive alternatives to car travel';
- Proposal 18: 'Improve safety and security, seeking to minimise transport casualties';
- Implementation priority - stronger demand management measures to encourage less car use;

- 4.3.4 This scheme supports the priorities of the City Priority Plan: to deliver an enhanced transport system, to improve the quality, use and accessibility of public transport services and to improve road safety for all our users.
- 4.3.5 Environmental Policy: The proposals contained within this report are in accordance with the Council's Environmental Policy to 'increase accessibility and connectivity through investment in a high quality transport system and through influencing others and changing behaviours'

4.4 Resources and Value for Money

- 4.4.1 Following preliminary analysis, each site will be financed by Environment and Neighbourhoods Directorate at nil cost, with revenue generated from penalty notices offsetting the implementation and ongoing costs at each site. This will occur in a financially sustainable way reflecting the knowledge gained from the pilot scheme.
- 4.4.2 Parking Services have confirmed that the present back office setup for the pilot, operated by Parking Services, is scalable and can easily be adapted to cater for the introduction of additional sites cost effectively due to offences being captured automatically using Automatic Number Plate Recognition (ANPR)
- 4.4.3 It is difficult to accurately evaluate the expected revenue that would be generated, as the proposals are expected to be introduced in a phased approach. Experience elsewhere suggests that offences are likely to reduce by 85% from those observed in the pre-enforcement surveys. Using the pre-enforcement surveys this would indicate that on average each site would take over a year to pay for installation, software and licensing, not taking into account any ongoing maintenance costs.
- 4.4.4 Section 55 of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 indicates that any surplus revenue generated by Parking Charge Notices (PCN) and now Bus Lane Enforcement (BLE) should be used on Highway or Environmental Improvements.
- 4.4.5 The approved Council Budget for 2012/13 details that £9.11M will be identified for highway improvements next year. The projected income from PCNs and BLE is £4.45M (£3.2M from PCNs and £1.25M from BLE).

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no legal implications to this report, however it will be necessary to make an application to Department for Transport (DfT) to seek approval for each site. All Traffic Regulation Orders will be reviewed and amended where necessary to facilitate camera enforcement of the bus lanes along with the inclusion of Hackney Carriages where they are not already included. These will be reported to the Chief Officer, Highways and Transportation for approval prior to implementation.
- 4.5.2 The Bus Lane Enforcement Project Board has been established and will undertake a detailed feasibility and cost benefit analysis of each site before making recommendations to progress with camera enforcement.

4.6 Risk Management

- 4.6.1 The system adopted has received type approval from DfT and has been working successfully in Leeds during the pilot. A Post Project Review evaluation has been carried out and will inform the implementation of Phase 2.
- 4.6.2 Research suggests that sustained, intensive enforcement that is well explained and publicised has a long lasting effect on driver behaviour. Evidence also suggests that this improvement in driver behaviour is not sustained should the motivational effect of enforcement be removed, and that levels of compliance drop significantly when enforcement drops. Given this, it is considered likely that there will always be a requirement for enforcement to ensure sustained punctuality and reliability improvements.
- 4.6.3 All bus lanes will be assessed and reviewed to ensure the legal Traffic Regulation Orders, along with signing and lining are clear and correct, informing drivers of the restrictions and allowing any essential manoeuvres to be carried out.
- 4.6.4 As sites are taken forward they will be submitted to DfT for authorisation prior to enforcement. Appeals during operation will be dealt with by the established appeals process adopted by Parking Services on the individual circumstances around each offence, which is in line with national best practice. Appeals will also be subject to an independent adjudication process if required.

5 Conclusions

- 5.1 Bus Lane enforcement is an effective way of tackling the abuse of bus lanes. These proposals will have a positive effect on bus journey times and subsequently help to increase patronage. The proposals, which are expected to be self financing, are a fundamental element to reducing congestion and maintaining freer flowing traffic in bus lanes.
- 5.2 Particularly during times of austerity, locking in the benefits of previous expenditure on bus priority, will assist the Council in meeting its Local Transport Plan targets and air quality obligations.
- 5.3 The pilot is already having a significant effect on compliance at key congestion points in the city centre. Therefore this approval will extend the benefits gained from the pilot to current and future bus lanes in Leeds, maximising the value of the bus lane investment.

6 Recommendations

- 6.1 Executive Board is requested to:
 - I. note the successful introduction of the pilot bus lane enforcement scheme in the city centre.
 - II. give approval, in principle, to extend camera enforcement of bus lanes to the remaining bus lane sites across Leeds, including the introduction of cameras on new bus lane schemes, based on individual site assessments and at nil cost to the council.

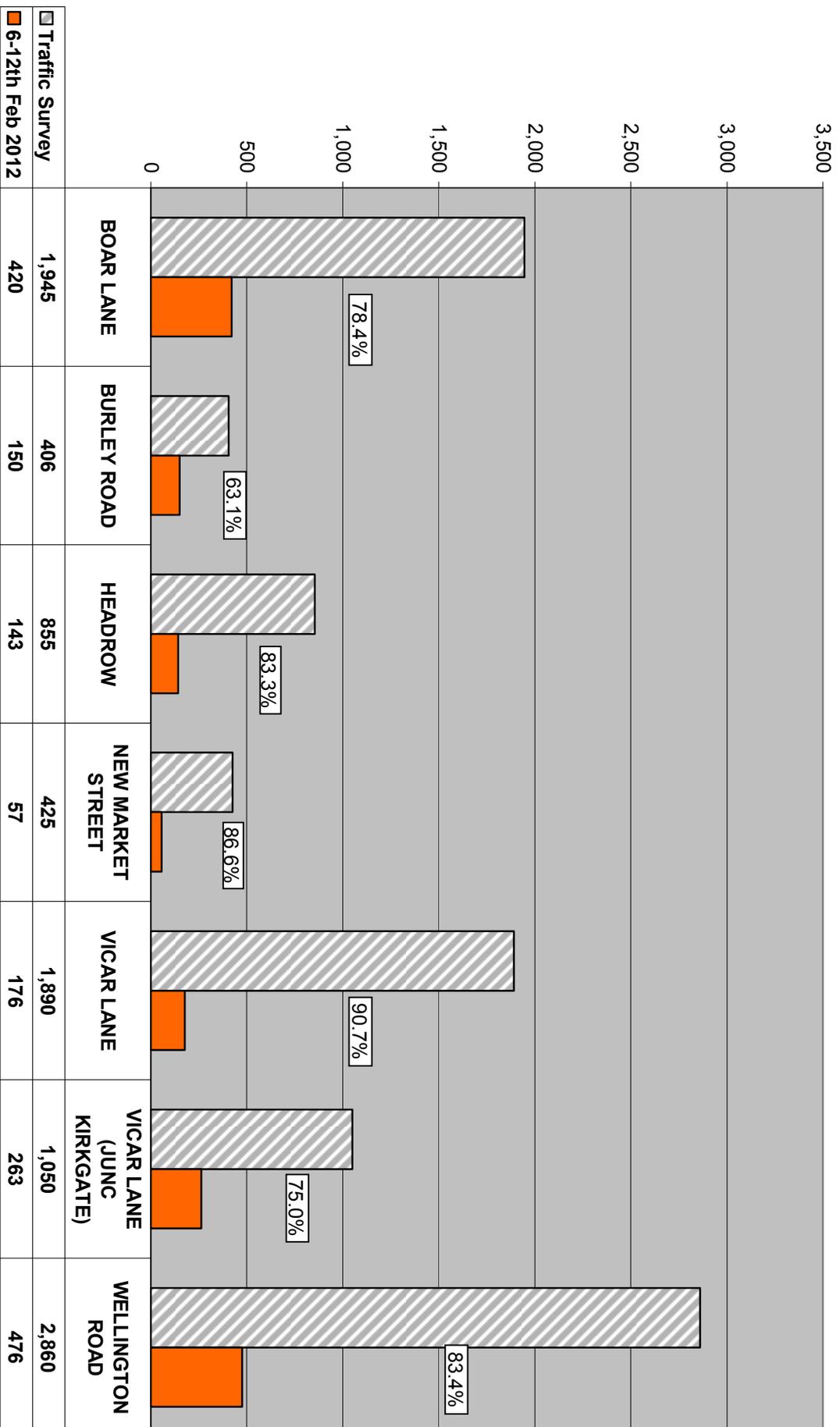
7 Background documents¹

7.2 DCR 15360 - Camera Enforcement of Bus Lanes - report 9 March 2009

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.

Bus Lane Enforcement

No. of offences (per site) and percentage reduction



Appendix B

No.	Location	Hours of operation	Violations per day
No 1.	A65 Abbey Road, Kirkstall, Inbound lane.	24 hours.	30
No 2.	Otley Road, Inbound lane towards Shaw Lane.	07.30 – 09.30	718
No 3.	B6154 Tong Road, Inbound towards Whingate.	07.30 – 09.30	397
No 4.	Jack Lane at j/w Sweet Street, Inbound.	24 hours	39
No 5.	Dewsbury Road, Outbound, Near Tesco Express.	16.00 – 18.30	100
No 6.	Low Lane, Inbound near Balmoral Chase.	24 hours	755
No 7.	Woodhouse lane, outside multi storey car park.	24 hours	17
No 8.	A660 Woodhouse lane, Outbound near St Marks Ave.	16.30 – 18.30	70
No 9.	Westgate toward j/w Oxford Row.	24 hours	16
No 10.	Woodhouse Lane Inbound j/w Rossington Street..	24 hours	47
No 11.	Woodhouse Lane Outbound, near The Hedley Verity.	24 hours	0
No 12.	Woodhouse Lane, Outbound j/w Rampart Road.	16.00 – 18.30	170
No 13.	Woodhouse Lane, Outbound, after j/w Fenton Street.	16.00 – 18.30	17
No 14.	Woodhouse Lane Outbound, Near the University.	16.30 – 18.30	9
No 15.	Chapeltown Road Inbound near Leopold Street.	07.30 – 09.30	32
No 16.	York Road Inbound. Nr PDSA	24 Hours.	94
No 17.	North Street Bus Gate, Inbound.	24 hours	187
No 18.	A64 York Road Outbound, opposite Great Clothes.	24 hours	16
No 19.	North Street Inbound bus lane at j/w Grafton Street.	24 hours	7
No 20.	A64 York Road Inbound towards Marsh Lane.	24 hours	389
No 21.	York road Outbound.	24 hours	22
No 22.	York Road Outbound to Torre Road.	24 hours	15
No 23.	Cross gates Road Inbound towards York Road.	07.30 – 09.30	1
No 24.	Selby Road Inbound near Detroit Drive	24 hours	8
No 25.	Selby Road Outbound near Portage Avenue	24 hours	0
No 26.	Selby Road Inbound near Carden Avenue.	24 hours	12