

Forward Plan reference number: FP/372/04/22

Report title: Active Travel Fund 2 – Proposed Conversion of Footway & Carriageway to a Cycle Track, on Head Street, Colchester The Essex County Council (Head Street, Colchester) (One Way) Order 20 The Essex County Council (Colchester City) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) (Amendment No.39) Order 20	
Report to: Councillor Lee Scott – Cabinet member for Highways Maintenance and Sustainable Transport	
Report author: Paul Crick – Director, Highways and Transportation	
Date: 22 March 2023	For: Decision
Enquiries to: Tracey.Vickers@essex.gov.uk, Head of Sustainable Transport	
County Divisions affected: Colchester	

1. Everyone's Essex

- 1.1 Essex County Council (ECC) has set out four strategic aims and 20 commitments for ECC to deliver over the next four years. As part of the high-quality environment strategic aim and a good place for children and families to grow, a key commitment is to deliver a step change in sustainable travel across the county, by maintaining safe and sustainable transport infrastructure.
- 1.2 In November 2020, ECC was awarded £7,358,700 by the Department for Transport to deliver sustainable transport schemes in Basildon ((Wickford), Braintree, Brentwood, Chelmsford, and Colchester.
- 1.3 The proposed new and improved cycleway and prohibition of right-hand turn for pedal cycles' restriction in Colchester will support the environment by providing a safer public realm for children and adults to cycle – delivering on our net zero aspirations, whilst reducing traffic and improving air quality.
- 1.4 Active Travel promotes health and wellbeing by getting people active. The proposals in this report support the provision of good places for children and families to live and grow by improving connectivity and providing low-cost, accessible alternatives to the car. By providing safe, sustainable transport infrastructure, such as cycle lanes, we are making the streets in North Colchester safer, greener and healthier and delivering a sustainable alternative to the motor vehicle.
- 1.5 ECC has conducted a statutory consultation in respect of the proposals in this report. As objections have been received, the Cabinet Member is asked to decide whether the proposals should be implemented.

2. Recommendations

- 2.1 Agree to make the traffic regulation orders set out in Appendix C and as advertised.

3. Background and Proposal

Background

- 3.1 On the network, traffic has returned to pre-pandemic flows with car journeys being back to the pre-pandemic levels.
- 3.2 Colchester has historically suffered from congestion, especially in North Colchester around the station. The station is an important commuter link into London and is used by in excess of 4.25 million passengers a year at pre-pandemic levels. Although the Park and Ride has helped lower traffic levels on the network, anything that can be done to encourage further sustainable transport usage is to be welcomed.
- 3.3 The proposal (as set out in paragraph 3.11) will reduce vehicle traffic and will make it safer for cyclists. It has been found that more and better cycle and pedestrian infrastructure will encourage residents to try walking and cycling as a good alternative to them using their cars. In turn this leads to a reduction in levels of traffic, encouraging the uptake of more cycling and walking. At the same time as this scheme is being introduced, other schemes are also being introduced so that, as a package of schemes, pedestrians and cyclists will enjoy a better and safer environment and therefore those who previously would drive will be encouraged to take up cycling.
- 3.4 Through a series of different consultations undertaken over the last few years, consistently the responses have been positive about introducing measures that create a safer, more comfortable environment in which people can live, work, socialise and travel. Measures to be delivered under the Active Travel funding reflect the latest series of measures to support sustainable travel and walking and cycling.
- 3.5 In July 2020, the Government announced the second tranche of the Active Travel Fund (ATF2) and invited highways authorities to make bids for grant funding. The objectives of the ATF2 were to help local authorities implement measures to create an environment that is safer for both walking and cycling. Tranche one focussed on replacing journeys made by public transport and supporting measures to avoid overcrowding on the public transport network and help maintain social distancing during COVID.
- 3.6 The tranche two aims are to make the temporary infrastructure permanent and develop it further by reallocating road space to improve walking and cycling. In addition, it was also expected by Government that such interventions would deliver significant health, environmental and congestion benefits by providing better infrastructure to create streets which can accommodate increased levels of cycling and walking, thereby providing low carbon transport solutions.

- 3.7 ECC submitted a bid to the Government in August 2020 and was subsequently awarded £7,358,700 (£5,886,960 capital and £1,471,740 revenue) in November 2020. This money was for ECC to deliver sustainable transport schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford, and Colchester.
- 3.8 In November 2020, ECC established steering groups in each of the scheme locations. These groups were made of local stakeholders including representatives from local authorities, community groups, businesses, access and active travel groups, and these helped shape the proposed schemes for public consultation.
- 3.9 In May 2021, ECC launched a countywide consultation on ECC's five active travel schemes in Basildon (Wickford), Braintree, Brentwood, Chelmsford and Colchester. ECC received 2,482 responses demonstrating strong support for the proposals for all of the advertised schemes. In addition to the public consultation, ECC also undertook online and in-person roadshow events to allow people to view the plans and ask questions.
- 3.10 Since November 2020 and taking into account the feedback from the public consultations, ECC has been progressing final designs for the proposal to introduce a high-quality cycle lane, as described below (the Proposal). The Proposal has been developed in line with the most recent Department for Transport (DfT) guidance.

Proposal

- 3.11 As part of ECC's ATF2 scheme in Colchester, ECC proposes to introduce a new permanent two-way cycle way has conducted a statutory consultation in respect of the following Proposal, also see Appendix B for details of the proposals:
- i. Two-way Segregated Cycleway' - (northbound with-flow and southbound contraflow) along Head Street. EAST SIDE: From the southern extended kerbline of High Street southwards for a distance of 212 metres. It is being provided to promote safer, greener, and healthier travel.
 - ii. Traffic signal amendments - Three of the traffic signal junctions/crossing will also receive amendments because of the implementation of the cycle route.
 - iii. Head Street at Junction with Head Gate four new cycle phases will be added with cycle detectors and signal heads for: cyclists heading from Headgate; Crouch Street East; from St John's Street and for southbound cyclists on Head Street turning either left or right (straight ahead southbound to Headgate being prohibited).
 - iv. At the Culver Street crossing two additional cycle signal heads will be included to control north and southbound cyclists and allow pedestrians to cross.
 - v. At the Head Street junction with High Street traffic signals, a new cycle phase will be added with cycle detectors and signal heads for cyclists heading from the Head Street cycleway into the High Street or North Hill. A second new cycle phase will be added with cycle detectors and signal

heads for cyclists heading from North Hill into the High Street or the southbound Head Street cycleway. Two of the three existing pedestrian crossings will be increased in width by 1.2 metres on the south arm and 0.8 metres on the east arm. The Traffic Signal Controller will be relocated to the High Street where the footway is wider.

- vi. Waiting and Loading Restrictions - To Service the business in the area a 25-metre dedicated goods vehicle loading bay has been provided along with an 18 metre Goods Vehicle Loading Bay which is available for loading Monday to Saturday 8am-6pm, and available for taxis outside these times
- vii. Taxi / Loading Bay - To cater for taxis a 12-metre dedicated taxi bay has been provided, along with the ability for Taxis to use the 18 metre Good Vehicle Loading Bay outside the times detailed above

3.12 Prior to the pandemic, this section of Station Way was a southbound bus lane. The removal of the bus lane for the 195m of cycle lane has already been discussed with the affected bus operators. The pull-in for the bus stop will still be retained, because, at this point, the cyclists will transfer to the shared footway / cycleway on the east side of Station Way, and this includes a northbound contraflow lane on the station side of the Station Way. The current arrangement on the west side of Station Way is to remain.

3.13 This is a critical pinch point in the network and by providing dedicated segregated cycle lanes in this area this will encourage cyclists to be and feel safer through this busy section. The overall effect will make it safer for pedestrians and cyclists and, in so doing, delivers improvements to health and wellbeing.

Consultation

3.14 From the 26 January to the 17 February 2023, Essex Highways formally advertised the Proposal. This was advertised in the Colchester Gazette and was made available on the Essex Highways website. A consultation letter was also sent to all affected properties where residents and businesses were invited to comment on the Proposal. Public notices were placed on the street to help raise awareness of the consultation in the wider community.

3.15 As part of the consultation, ECC also consulted with the following stakeholders who all supported the Proposal:

- Essex Police
- County Councillor Lee Scordis
- County Councillor Sue Lissimore
- County Councillor David King
- County Councillor Crow
- Colchester City Council - no objections have been received.

3.16 ECC received 17 objections during the consultation. A full objection report can be found in Appendix A.

- 3.17 There was a common objection by four of the objectors that the proposed new cycle lanes would cause congestion on surrounding roads if they were introduced. It has been found in other similar urban areas around the country that high quality cycling infrastructure promotes cycling and permanent switch. This has been found by the cycling charity Sustrans where they have found that individuals feel cycling is safe when they have access to the equipment and infrastructure they need. This switch helps to reduce the number of cars on the road and with that improve air quality, reduce congestion and road safety for all is increased. Associated with this objection, three objectors highlighted that with the extra cycleways and more cyclists, loading and unloading would become that more difficult. ECC when designing these schemes was careful to take that into consideration when designing the schemes and swept-path analysis was taken to ensure that would not cause the feared issue.
- 3.18 Two objectors were concerned that the proposals would cause delays to bus services and their reliability. A further objector objected as they thought that bus moving circles would be unsafe. it is a high priority of ECC to ensure and support growth of bus services. Whilst currently bus services are in some instances experiencing delays at junctions and other points around the network, the work to achieve significant modal shift to walking and cycling across Colchester city centre should free up road space for the smooth operation of bus services. Designers will have considered these aspects and made allowances which would have ensured that buses can turn safely.
- 3.19 Whilst the scheme is predominantly a cycling scheme, six objectors thought that there would be an unacceptable loss of pedestrian footway, particularly given that the whole package of measures across Colchester was supposed to promote both walking and cycling. Walking and movement of pedestrians is a high priority of ECC. Whilst there may be some reduction in pedestrian pavements, the work to achieve significant shift in general to walking and cycling across Colchester city centre should reduce the pressure on available space for pedestrians along Head Street and in other areas.
- 3.20 Three of the objectors focused on the Economic effects of the scheme on businesses in the Head Street area. They were particularly concerned that the new facilities would hinder cars accessing the shops and businesses of Head Street and surrounding roads. Proposals to change the parking arrangements were also raised. They were also concerned that the out-of-town shopping centres are benefitting at the city centre located shops and businesses.
- 3.21 Improving the pedestrian environment, can help to a degree in supporting these shops and areas survive. With the demand for better cycle infrastructure to be able to give safer access to these areas, the new cycle links, including on Head Street, are designed to support the city centre, not detract from it. It has been found that short stay car parking, with cars driving round trying to find a free space contribute to pollution and poor air quality due to the low speeds they are moving around at.

With the general national trend for less and less small shops to thrive, town and city centres need to be able to offer something different in the way of experience for the visitor and having large areas of car free space is often seen as an advantage.

- 3.22 The proposed new cycle lanes are replacing the temporary cycle lanes that were introduced in the aftermath of the Covid19 Pandemic. However, six objectors question the usage of the temporary cycle lanes and whether there is a demand for the new cycle lanes that are being proposed., ECC found that during the Covid19 pandemic and its accompanying lockdown, from its cycle counts, showed an increase in the levels of cycling and walking as people avoided using public transport due to the fear of contracting Covid. Social distancing also meant that buses could not carry as many as they previously held and so cycling was seen as a good alternative. It has been found that people will try new infrastructure, in many cases, they will continue to use them if they enjoy the experience. Over time ECC is planning more cycle lanes and as more is delivered then Colchester will benefit from a better and better network that will encourage more cycling and lead to a much more attractive environment.
- 3.23 As well as the six who did not think there was the demand, another objector regarded the proposed scheme is unnecessary as there is already a safe route from the west to the centre of Colchester via Head Street. As well as regarding the existing route to be safe enough, the second objector, in reality more a request, thought that a route through St. Mary's Church yard would be a considerably cheaper alternative to what ECC is proposing. Whilst the proposed alternative may have merit, the funding for these new measures is the result of a successful bid to the Government and the funding covers just the schemes that are being proposed. The Government expects that these routes will be delivered as bid for so any new routes that you suggest can only be funded out of other ECC funds, competing against other schemes. In order to build a new cycle route, ECC would need the agreement of the Church to allow their land to be used in this way and that cannot be guaranteed.
- 3.24 In the view of eight objectors, the scheme that has been proposed in their view is unsafe and that it could lead to accidents. Like all Highways Authorities, ECC takes its duty to ensure that all new infrastructure is safe to use. All schemes that are designed and built have been through a rigorous design and safety audit process so that the scheme that does get built is safe to all users, including pedestrians who share the space with the cyclists. It has also been found that as more and more cyclists appear on the streets, encouraged by more and better cycling infrastructure so car drivers will be more used to seeing cyclists on the roads and so accordingly be more aware and conscience of the need to be more careful.
- 3.25 Two further objectors questioned the value of the consultation and the way that it was carried out, particularly given that it was carried out during a period of restrictions caused by the Covid19, albeit the less restrictive end. They felt that

ECC was influenced by supporters of cycling who represent a minority of road users. A further objector thought that consultants and the cycle lobby had a disproportionate influence on what ECC was investing in. The consultation exercise has been run in an open and meaningful way inviting and considering opinions of the public as a whole.

- 3.26 The final group of objections were around funding and in their view that it should either be spent on such measures as filling in potholes and general maintenance of the existing infrastructure. Reflecting what others had expressed, three objected that ECC were investing too much funding for a minority of the population. The proposed schemes are part of the much larger ATF2 that ECC successfully bid for with the aim of supporting the shift to sustainable transport away from private cars. The funding has been specifically bid for to introduce the new cycle lanes and the rest of the package of measures across Colchester, together in other areas of Essex. The costs associated with implementing the proposed cycle lane and associated works are funded within existing budgets funded out of the £7m ATF2 grant, awarded by DfT in 2021 together with the approved ECC match funding of £2.125m.

4. Links to ECC's Strategic Ambitions

- 4.1 This report links to the following aims in the Essex Vision:

- Enjoy life into old age
- Strengthen communities through participation
- Develop ECC County sustainably

- 4.2 Approving the recommendations in this report will have a positive impact on the Council's ambition to be net carbon neutral by 2030 by providing the infrastructure to encourage more cycling.

- 4.3 By approving this recommendation, the proposed scheme links to the following strategic priorities in the emerging ECC Organisational Strategy 'Everyone's Essex':

- Strengthen communities through participation
- Strong, inclusive sustainable economy,
- High quality Environment,
- Health, wellbeing, and independence for all ages, and
- A good place for children and families to grow.

5. Options

- 5.1 **Option A - (Recommended)** To implement the following schemes as proposed:

i) Two-way Segregated Cycleway' - (northbound with-flow and southbound contraflow) along Head Street. EAST SIDE: From the southern extended kerb line of High Street southwards for a distance of 212 metres. It is being provided

to promote safer, greener, and healthier travel.

ii) Traffic signal amendments - Three of the traffic signal junctions/crossing will also receive amendments because of the implementation of the cycle route.

Head Street at Junction with Head Gate four new cycle phases will be added with cycle detectors and signal heads for: cyclists heading from Headgate; Crouch Street East; from St John's Street and for southbound cyclists on Head Street turning either left or right (straight ahead southbound to Headgate being prohibited).

At the Culver Street crossing two additional cycle signal heads will be included to control north and southbound cyclists and allow pedestrians to cross.

At the Head Street junction with High Street traffic signals, a new cycle phase will be added with cycle detectors and signal heads for cyclists heading from the Head Street cycleway into the High Street or North Hill. A second new cycle phase will be added with cycle detectors and signal heads for cyclists heading from North Hill into the High Street or the southbound Head Street cycleway. Two of the three existing pedestrian crossings will be increased in width by 1.2 metres on the south arm and 0.8 metres on the east arm. The Traffic Signal Controller will be relocated to the High Street where the footway is wider.

iii) Waiting and Loading Restrictions - To Service the business in the area a 25-metre dedicated goods vehicle loading bay has been provided along with an 18 metre Goods Vehicle Loading Bay which is available for loading Monday to Saturday 8am-6pm, and available for taxis outside these times

iv) Taxi / Loading Bay - To cater for taxis a 12-metre dedicated taxi bay has been provided, along with the ability for Taxis to use the 18 metre Good Vehicle Loading Bay outside the times detailed above

This option is recommended because it provides significant health, environmental and congestion benefits through the provision of better infrastructure to create streets which can accommodate increased levels of cycling and walking, thereby providing low carbon transport solutions, in line with ECC's objective of a low carbon neutral future.

5.2 **Option B - Do not implement the above schemes (Not Recommended).**

This is not recommended by officers as it does not deliver any road safety or health benefits for cyclists, together with the overall reduction in traffic due to the modal shift to cycling across the centre of Colchester once the whole package of measures has been introduced, together with further schemes over the next few years funded by further rounds of ATF.

The cost implications of not progressing would be that of wasted expenditure on designing the scheme and taking it through public consultation.

6. Issues for Considerations

6.1 Financial Implications

- 6.1.1 The costs associated with implementing the proposed cycle lane and associated works are funded within existing budgets funded out of the £7m ATF2 grant which ECC was awarded by DfT in 2021 together with the approved ECC match funding of £2.125m. Therefore, there are no additional financial implications as a result of this proposal.

6.2 Legal implications

- 6.2.1 The Road Traffic Regulation Act 1984 (as amended) gives the Council a statutory duty to exercise its traffic functions to secure the expeditious, convenient, and safe movement of traffic of all kinds, including pedestrians, and to provide suitable and adequate traffic measures. So far as practical, the Council is also required to have regard to:

- a) The desirability of securing and maintaining reasonable access to premises.
- b) The effect on the amenities of any locality affected, so as to preserve or improve the amenities of the areas through which the roads run.
- c) The importance of facilitating the passage of buses and their passengers.

- 6.2.2 Whilst there appears to be no real legislative requirement to hold a public enquiry, in view of the objections received, the decision to make the Order may be subject to judicial review. Whilst judicial review is a risk, there have been clear and reasoned considerations put forward by ECC as to why it is still going to make the Order. These clear and reasoned considerations should alleviate objector concerns.

7. Equality and Diversity Considerations

- 7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires ECC to have regard to the need to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
- 7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for b) or c), although it is relevant for a).

- 7.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.
- 7.4 Making transport vehicles and infrastructure more accessible to everyone continues to be an important objective and a major challenge for Transport Authorities, operators, and service providers. Accessibility has long been considered as a transport concern only for individuals with mobility difficulties. However, it is now recognized that accessibility is an integral part of high quality, sustainable transport systems, with benefits accruing to all users.

8. List of Appendices

Appendix A – Consultation Report
Appendix B – Public Notice
Appendix C – Plans of Head Street Proposals
Appendix D – Equalities Comprehensive Impact Assessment

9. List of Background papers

- Forward Plan reference number: FP/142/08/21 - Report Title: Active Travel Fund 2 Schemes, 14 October 2021.
- Full Consultation Responses
- Department for Transport Guidance – Gear Change – A bold vision for walking and cycling – DfT 2020 and Local Traffic Note 1/20 Cycle infrastructure design

I approve the above recommendations set out above for the reasons set out in the report.	Date 17/05/2023
Councillor Lee Scott, Cabinet Member for Highways Maintenance and Sustainable Transport	

In consultation with:

Role	Date
Executive Director, Corporate Services (S151 Officer) Stephanie Mitchener on behalf of Nicole Wood	Not required
Director, Legal and Assurance (Monitoring Officer) Laura Edwards on behalf of Paul Turner	22.03.2023