

**SURREY COUNTY COUNCIL****CABINET****DATE: 25 FEBRUARY 2020****REPORT OF: MR MATT FURNISS, CABINET MEMBER FOR HIGHWAYS****LEAD OFFICER: GILLIAN STEWARD - EXECUTIVE DIRECTOR ENVIRONMENT, TRANSPORT & INFRASTRUCTURE****SUBJECT: BUS LANES AND BUS LANE ENFORCEMENT****SUMMARY OF ISSUE:**

The purpose of bus lanes and bus lane enforcement, which this report considers, is to help improve bus journey times and reliability and help to make buses an attractive alternative to the private motor vehicle. This supports both the County Council's 2030 vision to make journeys across the county easier, more predictable and safer, and also the wider climate change agenda.

In October 2018, Cabinet considered and approved a report reviewing the pilot bus lane enforcement scheme operating in Woking and considered options for future enforcement arrangements.

This report reviews and amends the approval processes for introducing bus lanes and bus lane enforcement.

**RECOMMENDATIONS:**

It is recommended that Cabinet:

1. agree the revised Bus Lane and Camera policy (Feb 2020) as attached in Annex A
2. authorise the Director for Infrastructure & Operations in consultation with the Cabinet Member for Highways to introduce Bus Lane Enforcement
3. authorise the Cabinet Member for Highways to introduce new or amend existing bus lanes and determine any formal objections through the public formal Cabinet Member decision making meeting
4. authorise the Director for Infrastructure & Operations in consultation with the Cabinet Member for Highways to enter into any new bus lane enforcement agency agreements or external enforcement contracts, subject to County Council procurement and governance processes and procedures.

## REASON FOR RECOMMENDATIONS:

To ensure the County Council can effectively, efficiently and consistently manage bus lane enforcement and bus lane provision to support the growth of bus use in Surrey as a part of our Greener Futures agenda.

## DETAILS:

### Introduction and background

1. The only camera bus lane enforcement within Surrey at the moment is for the High Street, Woking. This has been successfully operating since March 2018. A recent feasibility study has been undertaken for potential enforcement in Guildford which confirms it is economically viable.
2. There are 13 bus lanes in operation within Surrey. Due to the legal framework, it is not possible for the County Council to introduce enforcement where there is an “urban clearway”. The County Council has contacted the Department for Transport who have agreed to review this conflict.
3. Approval for the introduction of new bus lanes or amending existing bus lanes currently rests with Cabinet. It is proposed that this will be delegated to the Cabinet Member for Highways and any decision will be made at the public formal Cabinet Member decision meeting. If there are any unresolved formal objections to the relevant Traffic Regulation Orders these too will be considered at the public formal Cabinet Member for Highways decision meeting. This revised process will help to streamline decision making.
4. Most bus lanes are only operational for certain periods of the day, outside of this all vehicles can use them. Certain classification of vehicle are permitted to use a bus lane at prohibited times, such as hackney taxis, motorbikes, some classes of HGVs. This is stipulated in the traffic regulation order, required to enable the bus lane and can be reviewed to suit local conditions.
5. In 2019 the County Council declared a climate emergency and is developing detailed plans to support our Greener Futures agenda. Properly located and managed bus lanes can help improve bus transport and hence impact on the usage of private motor vehicles, potentially aiding both congestion and emissions.

### Bus lane camera enforcement policy

6. A policy was approved by Cabinet in October 2018. This has been slightly amended to include the provision of new bus lanes, revisions to existing and approval for cameras. It has been renamed “Bus lane and camera enforcement policy” and is included in annex A.

## CONSULTATION:

7. In late summer 2018 public consultation was undertaken seeking the views on increasing bus lane enforcement. This consultation included an on-line survey, plus letters and emails to 237 taxi companies and 659 residents or business located near

to existing bus lanes. Signs were erected on site and County Councillors were made aware that the consultation was taking place.

8. For this type of consultation we received a high amount of feedback, with 489 individual replies. Of these, 55% agreed that some or many enforcement cameras should be introduced.
9. The County Council's Strategic Transport Group confirmed that our bus operator partners support enhanced bus lane enforcement. Journey delays are a prime factor in the ongoing viability of commercially operated routes and impact the performance and cost base of council funded bus services. Measures to enhance bus reliability are cited as being critical by the bus industry.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

10. Before any new cameras are introduced any costs will be determined and funding allocated. It is expected that cameras will only be introduced where they are as a minimum cost neutral.
11. New bus lanes will only be introduced, or amended where there is support from the bus operators and will be subject to appropriate public consultation.

#### **FINANCIAL AND VALUE FOR MONEY IMPLICATIONS**

12. Bus lane enforcement is introduced to support the operation of bus services, which enable our residents to get to work, education, health appointments and access a range of key services by more sustainable means. It is not introduced to generate revenue. Nevertheless it is expected that the costs of enforcement do not add to the general council revenue burden and any scheme is at least self-financing. If an operational surplus is generated, it will all be retained by the County Council and used to support the green agenda of walking, cycling and bus provision, as permitted by law.
13. Each camera costs in the region of £20,000 and depending on the site, signage an additional £1,500. This includes installation costs. The annual maintenance costs and fees are about £3,000, plus staffing costs. The amount of staff needed will depend on the number of contraventions.
14. The level of fines for bus lane contraventions is set by Government. Outside of London it is £60, reduced to £30 if paid within 14 days. Drivers do not receive penalty points on their licence and they may appeal against any penalty in a similar manner to the procedures with a parking ticket.
15. The High Street, Woking bus lane has been in operation for 2 years. The number of contraventions has reduced from approximately 120 per day to around 10-15 as most drivers adhere to the restriction. It has settled operating at about a £60,000 annual surplus, once costs have been accounted for.

16. Any new agency agreements will stipulate that all any operational surplus after legitimate costs will be retained by the County Council. As referenced above this will be used countywide to support the green agenda.
17. New bus lanes or amendments to existing bus lanes are normally introduced as part of highway improvement schemes and will be included in the relevant capital budget(s).

#### **SECTION 151 OFFICER COMMENTARY**

18. The financial implications of bus lane enforcement are explained in the paragraphs above, along with the purposes for which any surplus can be used. The Section 151 Officer supports the recommendations, which are consistent with the Medium-Term Financial Strategy and the Council's Organisational Strategy.

#### **LEGAL IMPLICATIONS – MONITORING OFFICER**

19. Surrey County Council has the power to enforce bus lane contraventions under section 144(3)(b) of the Transport Act 2000 and Schedule 8 of the Traffic Management Act 2004 and to delegate, if we so choose to Borough and District Councils. The delegation to Borough and District Councils is under powers in the Local Government Act 2000, together with associated regulations. The geographical area of Surrey has been designated as a Civil Enforcement Area for bus lane contraventions.

#### **EQUALITIES AND DIVERSITY**

20. The recommendations in this report have no material impact on existing equality policy and therefore a full equalities assessment was not deemed necessary.
21. Before any changes are made on the highway, relevant and proportionate consultation will be carried out with users and interested parties.

#### **ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

22. The proposals considered in the paper will have no adverse environmental impacts. New bus lanes can contribute toward reducing vehicle emissions by creating modal shift as buses become more reliable and attractive to use. Bus lanes with effective enforcement can help councils meet their travel and environmental objectives as defined in Local Transport Plans.

#### **WHAT HAPPENS NEXT:**

- a. Camera enforcement will continue for the High Street, Woking and the term agreement will be reviewed prior to renewal (2023)
- b. Options will be explored for introducing bus lane camera enforcement in Guildford in early 2020
- c. Other bus lanes will be reviewed and, if appropriate camera enforcement will be introduced
- d. Amendments to or new bus lane provision will be introduced as part of wider transport improvement, subject to the processes outlined in this report.

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**Consulted:**

Matt Furniss, Cabinet Member for Highways  
Paul Millin, Group Manager – Strategic Transport  
Lucy Monie, Director for Infrastructure & Operations  
Gill Steward, Executive Director for Environment, Transport & Infrastructure  
Tony Orzieri, Strategic Finance Business Partner  
Nancy El-Shatory, Principal Lawyer

**Annexes:**

Annex A – Bus Lane and camera enforcement policy

**Sources/background papers:**

Pilot for camera enforcement of Bus Lane, Woking – Cabinet 31 October 2017

Bus Lane Enforcement – Cabinet 30 October 2018

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