

<b>Committee(s)</b>	<b>Dated:</b>
Streets & Walkways Sub – For Decision	17/10/2017
Markets Committee – For Information	29/11/2017
<b>Subject:</b> North – South Cycle Superhighway Phase 2	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For Decision</b>
<b>Report author:</b> Sam Lee	

### Summary

In 2016, TfL consulted on proposals to extend their North – South Cycle Superhighway from Stonecutter Street to Kings Cross.

In November 2016, Members of the S&W Sub-Committee supported TfL’s proposals in principle and agreed for officers to continue to work with TfL to see if they would agree to a suspension of the proposed banned left turn into West Smithfield during the market’s busiest working hours and a new layout at the Stonecutter Street junction.

This report therefore updates Members on the outcome of this work and advises on a number of significant improvements that officers’ have secured including a new layout at Stonecutter Street. However, TfL have not agreed to a timed suspension of the proposed left turn ban into West Smithfield as requested by the Markets Committee.

Your City Transportation officers are recommending that Members support TfL’s proposals even though these will cause some inconvenience for those wishing to access the market. Your officers’ position is informed in part due to the evidence provided by TfL of the current relatively low demand for the left turn into West Smithfield, in part by the traffic delay that introducing a timed suspension would cause but primarily having regard to the increased road danger it is believed would result from a timed suspension of the ban. Therefore this report seeks Members agreement to accept TfL’s proposals.

### Recommendation(s)

Members are asked to:

- Accept and support TfL’s proposal and approve its concept design as shown in Appendix 1,

- Agree that officers continue to work with TfL to facilitate the delivery of the proposals using the powers and authority available to the City Corporation.

## **Main Report**

### **Background**

1. In March 2016, TfL carried out a public consultation exercise on proposals to extend their North-South Cycle Superhighway (N-S CSH) from Stonecutter Street to Kings Cross. Within the City, the route would run along Farringdon Street.
2. The City considered those proposals fell short of addressing the various issues and implications particularly at the West Smithfield and Stonecutter Street junctions. TfL was therefore asked to reconsider their proposal.
3. In November 2016, TfL carried out a further public consultation exercise on proposed changes to the West Smithfield junction. These revised proposals offered substantial improvements, particularly around road safety benefits, pedal cycle connectivity and pedestrian crossings but also introduced a banned left turn into West Smithfield for motor vehicles.
4. In December 2016, your committee considered these proposals in detail and resolved to:-
  - support TfL's proposal in principle to extend the North – South Cycle Superhighway from Stonecutter Street to Kings Cross;
  - instruct officers to work with TfL and consider how the cycle lane separation at Stonecutter Street might be improved; and
  - support the resolution of the Markets Committee for a suspension of the banned turn during the main market hours (9pm – 5am) and instructed officers to continue to work with TfL to establish if a timed suspension of the banned left turn is practicable during key market operating times.

### **Current Position**

5. Since Members decision in December 2016, officers have continued to work with TfL and requested that they explore if a timed suspension of the banned left turn could be accommodated, especially during the main market operational hours.
6. At the end of March 2017, TfL advised officers, that they have completed a detailed assessment of our request and have concluded that they intend to proceed to implementation with the full time ban, as proposed in the consultation. Their latest proposals can be seen in Appendix 1.
7. They subsequently published their response to the public consultation and the issues raised. An extract of their detailed response to our request is as follows:

*“When designing a scheme, consideration is given to safety, local access and network resilience, with the aim of proving the most appropriate balance for all road users in each location. The decision to propose a banned turn is taken only*

*after all of these factors to remove the risk of the left hook conflicts between motor traffic turning into West Smithfield and cyclist heading southbound along Farringdon Street, as this one of the most frequent kinds of cycle collision at this junction.*

*Throughout the consultation we have engaged with the SMTA about southbound access to the market. We undertook detailed traffic counts and analysis at the junction which showed that, during market hours, the number of motor vehicles turning left into West Smithfield is around 40 per hour.*

*We expect that the alternative routes available nearby will be able to accommodate traffic that would have used the left turn without seeing significant increase in journey times or traffic levels.*

*The design for the junction of Farringdon Street and West Smithfield includes segregated with-flow cycle tracks on both sides of the road with separate stop lines for cyclists and motor traffic. There is not enough space on Farringdon Street to have separate left-turn and ahead traffic lanes to hold back left turning traffic when cyclists are travelling south. Under the proposed signal staging if traffic were to turn left onto West Smithfield, it would turn across the path of southbound cyclists, putting them in conflict. This is not permitted under Department for Transport (DfT) regulations which state that conflicting movements within the same stage must be separated.*

*A part time turn would require an additional traffic signal stage to separate the conflicting left turning traffic and the southbound cyclists, which would add time to the overall signal timings at the junction. In this busy part of the road network, an additional signal stage could only be provided when traffic flows are lower (between midnight and 6am at this junction). Traffic counts show that there is a high demand for the left turn between 8pm and 9am which is beyond the times in which the additional signal stage could be provided without causing significant journey time increases for buses and general traffic on Farringdon Street.*

*Further to this, the risk of contraventions of the left turn ban throughout the day would introduce a hook risk for cyclists. The nearby bus stop reduces visibility between traffic and cyclists which contributes to the risk of a collision.*

*We therefore intend to proceed with the full time ban as proposed in the consultation.”*

8. A copy of these documents will be made available in the Members Reading Room but can also be down loaded from here: [Consultation Report. Issues Raised](#).
9. Responses to other issues and concerns such as traffic signals, journey times, disruption, conflicts, pedestrian facilities and other detailed issues can also be found in those documents. A copy of the Road Safety Audit can be found in Appendix 2. Appendix 3 illustrates TfL's assessment of the lower traffic flows (between midnight to 6am).

10. In relation to the Stonecutter Street junction, TfL has reconsidered the design of the cycle separation and have agreed to a new layout. This is also shown in Appendix 1. This new layout will control all traffic movements including pedal cyclists on Farringdon Street which will enable pedestrians to cross the whole carriageway on a “green man” stage. This is what local occupiers have been asking from since the beginning and therefore meets their needs.
11. In terms of the works required on the City’s roads, the City entered into a Section 8 Agreement with TfL authorising them to carry out highway works on the City’s highway for the purpose of implementing the Cycle Superhighway, but subject to the City first approving the detailed design. Their scheme also potentially impacts the City’s bridge protective measures under Holborn Viaduct. As part of an agreement with TfL under s.8 of the Highways Act 1980 on 25<sup>th</sup> July 2012, TfL is required to seek the City’s consent if it wanted to make or alter those measures but that consent should not be unreasonably withheld or delayed. So far, TfL has not been able to demonstrate that their proposals offer the same level of bridge protection. Discussions are still on-going but it is anticipated that this will be resolved shortly to enable the City to grant TfL this consent.
12. TfL has recently advised that statutory public consultation to effect the banned left turn in to West Smithfield and other measures associated with the N-S CSH will commence from 29<sup>th</sup> September 2017. Officers can confirm that this has indeed commenced. Responses must be lodged with TfL before the 20<sup>th</sup> October 2017.

## **Options**

13. Officers consider that there are two options:-
  - a) Accept and support TfL’s proposal, acknowledging that they have explored and considered other alternatives and where possible these have been incorporated, and approve the concept design, or
  - b) Formally object by responding to their statutory public consultation whilst continuing to lobby, at a political level, TfL and the Mayor of London to make changes, and withhold approval to the detailed design on the City’s highway.

## **City Transportation Comments**

14. Officers have challenged TfL’s proposals as far as possible and have secured some very significant improvements since the original consultation in early 2016. These include:-
  - a) a new junction layout and control which addresses the high levels of collisions at Farringdon Street and West Smithfield,
  - b) A better and safer cycle interchange between the City’s Quietway and TfL’s Superhighway,
  - c) A safer and more convenient pedestrian crossing over Farringdon Street and West Smithfield, and
  - d) A new layout at the Stonecutter Street junction which meets local needs.

15. Although it has not been possible to secure a scheme which enables traffic to turn left into West Smithfield, there are good nearby alternative routes, in particular using the Charterhouse Street junction. In addition, the surveys carried out to assess the scheme showed that, during the suggested time suspension of the banned turn (9pm to 5am), the volume of left turning traffic into West Smithfield are even lower, with an average of 18 motor vehicles per hour. Whilst it is recognised that this will add additional traffic on to the surrounding road network, the additional volume from this banned left turn is very low and therefore unlikely to add to congestion or road safety implications. A summary of the traffic data for this junction is provided in Appendix 4.
16. More fundamentally, TfL's greatest concern with permitting the part time turn is the potential safety implications which may arise, particularly from non-compliance of the banned turn when it is operational. The traffic data shows that there is a high demand for the left turn either side of the suggested timed suspension. This presents a greater risk arising from the potential for non-compliance of the banned turn, either intentionally or deliberately and thus potentially leading to the common "left hook" collision with a cyclist. Members may recall that the two most recent fatalities in the City (at Ludgate Circus and Bank junction) to cyclists involved the left hook conflict (HGV's turning left).
17. The current design makes the left turn ban more or less self-regulating i.e. physically difficult to carry out the left turn as well as the ability to convey signage of the ban turn more clearly to road users. A part time turn would likely introduce a level of uncertainty as the design would need to enable the left turn at all times and the associated signage will be less clear. This is likely to lead to an increase in intentional or unintentional non-compliance and therefore increases safety risks.
18. Your officers therefore accept TfL's safety concerns and believe that overall and on balance, Members should support Option a).
19. If Members are however minded to agree to Option b), the City would be required to state the grounds on which the objection is to be made. However, it should be noted that, unlike other traffic authorities, TfL are not required to set out an arbitration procedure if agreement is not reached when consulting an affected authority. TfL are only required to consider the objection and having considered that objection they can proceed to implementation of the banned left turn. It should additionally be noted that, as TfL has already considered the City's request in detail, it is unlikely that this approach would be successful, although political engagement has produced changes to some schemes in the past, such as at Tudor Street.
20. Members should also be mindful that, in respect of the related works on the City's roads, if approval to the detailed design is withheld, it would be open to TfL to implement the banned left turn into West Smithfield, without the works on the City's highway. This would probably require them to modify the design on their network and would reduce the benefits, particularly for a better and safer cycle interchange between the City's Quietway and TfL's Superhighway.

## Corporate & Strategic Implications

TfL's proposal complements and aligns with many of the Corporation's aims and policy objectives. The proposals are also expected to address the high levels of injury collisions involving cyclists at this junction.

### Implications

21. In order for TfL to effect the banned left turn, they are required to make an order under s.6 of the Road Traffic Regulation Act 1984 (RTRA).
22. Under section 122 of the same act, TfL as the traffic authority for Farringdon Street must exercise its powers under the RTRA so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters:-
  - a. the desirability of securing and maintaining reasonable access to premises;
  - b. the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity;
  - c. the national air quality strategy;
  - d. facilitating the passage of public service vehicles and securing the safety and convenience of their passengers;
  - e. any other matters appearing to TfL to be relevant.
23. The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 sets out requirements for things such as consultation, publication of proposals, objections etc in relation to Traffic Orders. Under regulation 6(1), it requires the order making authority where it is likely that their order will affect traffic on a road for which another authority is the highway or traffic authority, to consult the other authority.
24. Regulation 7(2) requires TfL to send the City the Notice of Proposals – including other documents as part of the consultation is optional. Regulation 8(1) allows objection to be made to proposals but regulation 8(2) which refers to objections made by authorities under additional consultation rules set out in the Local Government Act 1985 no longer applies within Greater London. Regulation 17(3) requires the order making authority to notify parties that have objected under regulation 8(1) that the order or orders have been made, and shall include the reasons for not acceding to the objection either in part or in full.
25. The additional rules that apply to London authorities when consulting an affected authority that require resolution of any objection before proceeding to make any order or orders, and setting out an arbitration procedure if agreement is not reached, do not apply to TfL when consulting an affected authority. TfL are

required to consider any objection and then respond as set out in regulation 17(3).

26. In order for TfL to deliver the changes on the City's highway, the City's approval to the detailed design is required under the Cycle Superhighway s.8 (of the Highways Act 1980) agreement, and to deliver the changes underneath Holborn Viaduct, they will need to either amend or enter into a new s.8 agreement with the City, to ensure that protection to the bridge is not adversely affected.

## **Conclusion**

27. Following the resolution of this committee in December 2016, officers have continued to engage with TfL to explore the possibility of a timed suspension of the banned left turn into West Smithfield and for a better layout at the Stonecutter Street junction.

28. TfL has considered the banned turn in detail and have concluded to proceed to implementation of the banned turn, as consulted in November 2016. They have however agreed to a new layout at Stonecutter Street, which appears to meet the needs of local occupiers in this area.

29. To effect the banned turn, TfL must now make an order under the RTRA 1984 which requires them to carry out statutory public consultation. The City can object to the banned left turn, but TfL can proceed to implement the banned left turn if they have considered the objection. For works on the City's highway, the City's approval of the design detail is required, but the banned left turn could proceed without those works, although the benefits of the cycle interchange between the City's Quietway and TfL's Cycle Superhighway would be reduced.

30. It is believed that officer level discussions and negotiations with TfL have been exhausted. It is now therefore suggested that, on balance, Members should support TfL's proposal.

## **Appendices**

- Appendix 1 – TfL's latest proposals
- Appendix 2 – TfL's Road Safety Audit
- Appendix 3 – TfL's assessment of the lower traffic flows
- Appendix 4 – Summary of the traffic flows at the West Smithfield/Farringdon Street junction

## **Background Papers**

- Report of the Director of the Built Environment to the Planning & Transportation and the Policy & Resources Committees in March 2016, and the associated minutes. This can be viewed by following this [link](#).

- Report of the Director of the Built environment to the Markets Committee and the Streets & Walkways Sub-Committee in November and December 2016, and the associated minutes. This can be view by following this [link](#).

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