

This record relates to urgent decisions taken by Chief Officers under the Scheme of Delegation to Officers Paragraph 7(2).

**RECORD OF URGENT DECISION
TAKEN BY ASSISTANT DIRECTOR CITY DEVELOPMENT AND
REGENERATION**

**SUBJECT: Coved Transport Measures - Temporary Cycle Lane on the A259
between the Aquarium Roundabout and Fourth Avenue**

CONTACT OFFICER:

David Parker

REASONS FOR URGENCY AND WHY NOT PRACTICABLE TO HOLD A SPECIAL MEETING OR URGENCY SUB-COMMITTEE:

A section of the newly installed temporary cycle lane between the aquarium roundabout and West Street needs to be removed as is causing severe traffic congestion and is resulting in significant delays to the bus network.

There is a need to ensure the bus network is running reliably by 5th September before the schools reopen. This provides a very short window to mobilize contractors and undertake the work. Most of the temporary cycle lane will remain in place (from West Street to Fourth Avenue).

There have been strong representations from bus companies to explore mitigation measures and potential changes to the cycle lane.

There have also been strong representations from the public to remove the cycle lane.

DETAILS AND OUTCOME OF CONSULTATION WITH THE CHAIR/DEPUTY CHAIR OF RELEVANT COMMITTEE:

Co-Chair agrees that action need to be taken to remove that section of the temporary cycle lane.

DATE OF CONSULTATION WITH CHAIR/DEPUTY CHAIR:

24/08/2020

THE DECISION:

Take action need to remove the section of the temporary cycle lane between the aquarium roundabout and West Street.

REASONS FOR DECISION:

Severe traffic congestion resulting in significant delays to the bus network and the need to ensure the bus network is running reliably by 5th September before the schools reopen.

DETAILS OF ANY ALTERNATIVE OPTIONS CONSIDERED:

The alternative would be to not remove the cycle lane which would have serious implications for the road network as described above

LEGAL IMPLICATIONS:

The authorisation given by the ETS Committee covered the A259 westwards from the Aquarium Roundabout. Although the proposed removal of the section of the temporary cycle lane could arguably be done under officer powers, for the avoidance of doubt, it is considered more appropriate to use urgency powers. Given the need to act quickly and given the strength of feedback, the use of Officer Urgency Powers is appropriate.

The provision of the cycle lane was covered by an Experimental Traffic Regulation Order ("ETRO") under s9 of the Road Traffic Regulation Act 1984. The ETRO is currently out to consultation. However, s10 of the 1984 Act allows ETROs to be modified or suspended in certain circumstances, including where it appears that such modification /suspension "is in the interests of the expeditious, convenient and safe movement of traffic". In order to be so modified/suspended an ETRO has to expressly include this power and specify the officer who may exercise it. The cycle lane ETRO includes the relevant provisions. The legislation further provides that prior to exercising the power the appropriate chief officer of police must be consulted.

The legislation therefore allows for the ETRO to be modified as a result of the congestion outlined in this report, but will require consultation with the police.

Name: Hilary Woodward

Date 26/8/20

FINANCIAL IMPLICATIONS:

The cost of the works to remove the length of cycle lane is estimated to be approximately £5,000. This will be covered from the existing Local Transport Plan budget. Officers will explore the implication of this decision on the original grant funding from government.

Name: Nigel Manvell

Date 27/08/2020

DATE OF NEXT COMMITTEE MEETING TO WHICH THE DECISION WILL BE REPORTED:

28th September 2020



Signed:

Date: 27th August 2020

Assistant Director City Development & Regeneration, in the absence of the Executive Director Economy, Environment and Culture

Logged by Democratic Services Officer for Annual Report:

Name:

Date:

