

Report of the Strategic Director Place to the meeting of Bradford East Area Committee to be held on 14th September 2017.

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Subject:

CITYCONNECT 2 – BRADFORD CANAL ROAD CORRIDOR CYCLEWAY SCHEME (MOVING TRAFFIC) ORDER AND (WAITING LOADING AND PARKING) ORDER - OBJECTIONS

Summary statement:

This report informs the committee about progress on actions undertaken to support delivery of the CityConnect 2 – Bradford Canal Road Corridor Cycleway Scheme.

Wards: 04 Bolton and Undercliffe

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Overview & Scrutiny Area:

Environment and Waste Management



1. SUMMARY

- 1.1 The CityConnect 2, Bradford Canal Road Corridor Cycleway Scheme, in order to be implemented, requires changes to be made to the way in which the highways along the route are used. A number of Traffic Regulation Orders (TRO's) have been advertised for public consultation on the proposed changes and to consider if any amendments to the Orders can be made without unduly compromising the design and quality of the scheme. The proposed changes to the existing highway network aim to maintain or improve safety for all road users and to aid the flow of traffic.
- 1.2 An objections report was brought to this committee on 11 July 2017 that set out the objectors concerns and the officers response and seeking a resolution to overrule the objections to the TRO's. A resolution was made to delay making that decision until an alternative scheme has been fully investigated and presented to this committee.
- 1.3 This decision was called-in by the Chair of the Corporate and Overview Scrutiny Committee on the grounds that the decision to defer approval of the project proposals puts the entire scheme at risk. The Executive will determine this matter at its next meeting on 12 September 2017.

2. BACKGROUND

- 2.1 After successfully securing £22m of funding for Phase 2 of the Department for Transport's Cycle City Ambition Grant, Bradford Council along with the West Yorkshire Combined Authority have been working on plans for a new continuous high quality segregated cycle route between Bradford and Shipley.
- 2.2 The Bradford Canal Road Corridor Scheme valued at £2.5m is one of several proposed across West Yorkshire that are part of Phase 2 of the CityConnect Programme. The scheme is for a segregated cycle route to provide a safe link for cyclists between the growing residential areas along Canal Road and the employment and training opportunities in Bradford City Centre. It would also provide a connection to the Canal Road Greenway leading to Shipley and thence to the Airedale Greenway, and it would connect to the Cycle Superhighway between Leeds and Bradford, which constituted Phase 1 of the CityConnect programme.
- 2.3 The scheme is intended to inspire more people to cycle and walk more regularly, and to make cycling a natural and popular choice for short journeys. By developing and improving cycle routes and engaging with local populations through activity based projects the WYCA CityConnect team is working towards the vision of West Yorkshire being recognised as a great region for safe cycling. Increasing the level of cycling will reduce carbon emissions and improve air quality, lead to a healthier population, create a safer more attractive urban environment and improve the potential for economic growth through further access to employment and training.
- 2.4 This scheme, which will significantly enhance cycling infrastructure in the District, will help deliver the objectives and outcomes in the West Yorkshire Local Emissions



Strategy (WYLES) 2016 - 2021 which was adopted in December 2016. The scheme fully supports and accords with Strategic Objective 7 of the WYLES which states that “We will use the West Yorkshire Transport Strategy and Leeds City Region Strategic Economic Plan to help deliver the WYLES objectives, including improved cycling and walking provision; better public transport; low emission energy production and use, and sustainable infrastructure to deliver Good Growth”. The Bradford District Low Emissions Strategy (LES) which was adopted in 2013, seeks to promote and further develop cycling infrastructure in order to reduce emissions. The Canal Road Corridor Cycle Route is referenced in Appendix 1 of the Bradford District LES. .

- 2.5 The proposed cycle route is included in the Shipley and Canal Road AAP dated May 2015. The report “Transport Study in Support of the Shipley and Canal Road Corridor AAP” refers to The CityConnect2 project and identifies the alignment of the route, it also refers to “The Cycle Route Study” carried out by Steer Davies Gleave in July 2014. The Project Brief was produced in December 2015 and as part of that process an assessment of all potential alternative routes was undertaken to ensure the option that could best deliver the objectives, desired outcomes and meet the constraints was developed and taken forward for consultation. The proposed route of the preferred advertised scheme follows the route identified in the Transport Study in Support of the Shipley and Canal Road Area Action Plan produced by consultant Steer Davies Gleave and is shown in Appendix 1.
- 2.6 The national cycling conference Cycle City Active City Bradford was held in May 2017. Bradford was chosen as the location to hold this event this year because 2017 is seen as a pivotal year for cycling in Bradford. The recently opened CityConnect Cycle Superhighway from Bradford to Leeds, the stunning new public space in the heart of the city and the Tour de Yorkshire were all factors in bringing this event to Bradford and there are plans for more cycling related activity to come during the year.
- 2.7 At its meeting of 20 September 2016 the Executive approved the principles of the scheme. It delegated authority to the Strategic Director and the Portfolio Holder to:
 - a) progress and approve the detail design of the scheme;
 - b) approve the processing and advertising of any Traffic Regulation Orders or other legal process linked to traffic calming measures, pedestrian and cycle crossings and converting footways to cycle tracks;
 - c) approve the implementation of the works.Any valid objections to the advertised Traffic Regulation Orders were to be submitted to the Executive and the Bradford East Area Committee, as appropriate, for consideration.
- 2.8 The following Traffic Regulation Orders were formally advertised between 17 February 2017 and 10 March 2017 under powers contained in the Road Traffic Regulation Act 1984:
 - 2.8.1 City of Bradford Metropolitan District Council (Moving Traffic) (Consolidation) (Amendment No.***) Order 20*** - Cycle Superhighway Bradford.



The general effect of which will be to introduce:-

1. “prohibited left-turns” from Valley Road into Hamm Strasse and from Queen’s Road into Valley Road;
2. “prohibited right-turn” from Queen’s Road into Valley Road;
3. “prohibited entries” from Valley Road (northern section) into Valley Road (242 metres south of its junction with Queen’s Road) and also from Queen’s Road into Valley Road;
4. “one-way traffic flows in a northerly direction” on a length of Valley Road (North/South) at a point 170 metres north of its junction with Valley Road (North/East) and on a further length of Valley Road (North/South) from its junction with Queen’s Road for a distance of 78 metres; and
5. “prohibition of driving (road closure)” of a part of Leeming Street – for a distance of 15 metres from its junction with Valley Road.

2.8.2 City of Bradford Metropolitan District Council (Waiting Loading and Parking) (Consolidation) (Amendment No.***) Order

The general effect of which will be to introduce restrictions of:-

1. “no waiting and no loading/unloading at any time” along the full length of the Cycle Superhighway comprising lengths of Hillam Road, Valley Road, Bolton Lane, Queen’s Road, Canal Road, Stanley Road and Lower Kirkgate, Bradford, and
2. “no waiting at any time” on lengths of Hillam Road, Valley Road, Bolton Lane, Queen’s Road, North Holme Street and Canal Road, Bradford.

2.9 Notices have been formally advertised between 17 February 2017 and 10 March 2017 under powers contained in the Highways Act 1980 and the Road Traffic Regulation Act 1984 informing of the proposal to construct road humps and raised pedestrian and cyclists crossings.

2.10 An objections Report was taken to the Bradford East Area Committee meeting on 11 July 2017 where it was resolved:-

- i) that the Committee recognises and welcomes the cycle link
- ii) that the Committee is not content that the solution offered is a safer, more attractive urban environment that will make the positive contribution to Bradford’s cycling ambition. The Committee also recognises the challenges of the current site.
- iii) that officers are asked to fully investigate an alternative scheme in the urban green space alongside Valley Road, Bradford.
- iv) that the consultation be extended to include people who work along Valley Road, Bradford, and whether they had access to the Cycle to Work scheme.
- v) that the decision to overrule the objections be delayed until the above work is undertaken and presented to the Committee.

2.11 On 13 July 2017, in accordance with Paragraph 8.6.2 (Part 3E of the Constitution) the decision of the Bradford East Area Committee was called-in by the Chair of the Corporate Overview and Scrutiny Committee as requested to do so by the Chair of the Environment and Waste Committee “*on the grounds that the Area Committee’s decision to defer approval of the project proposals puts the entire scheme at risk. The decision jeopardises a cycleway project that is a key element of our District Cycling Strategy and which is backed by the Bradford Cycling Campaign; and-*



crucially- risks losing altogether WYCA investment of £2.5 million that will benefit Bradford District as a whole for years to come". The decision was then referred to the Environment and Waste Management Overview and Scrutiny Committee for consideration.

- 2.12 At the meeting of the Environment and Waste Management Overview and Scrutiny Committee held on 25 July 2017 it was resolved:-
- i) that this Committee notes a) Paragraph 12.14 of Part 3E of the Constitution of the Council, which states that "area committees may not make a decision which affects, in a significant way, another area without first obtaining the agreement of the area committee for that area", b) that part of the Bradford Canal Road Corridor Cycleway Scheme is located in the City Ward and therefore falls under the purview of the Bradford West Area Committee; and c) that the Bradford West Area Committee has not been involved in this decision-making decision process so far.
 - ii) that this Committee notes that the Executive resolved on 20 September 2016 that "any valid objections to the advertised Traffic Regulation Orders, traffic calming, crossing facilities and cycle tracks be submitted to the Executive" and that this action has not yet been implemented as required.
 - iii) that this Committee refers the decision back to the Bradford East Area Committee for further consideration of the advertised Traffic Regulation Orders in accordance with the resolution of the Executive dated 20 September 2016.
 - iv) that this Committee recommends that the Bradford East Area Committee refers this matter with its comments to the Executive for decision when it meets on 14 September 2017, according to the provisions of Paragraph 12.15 of Part E of the Constitution of the Council (which states that "an area committee or two or more area committees jointly may refer a matter in relation to an executive function to the Executive for decision").
 - v) that, in the event that the Bradford East Area Committee does not refer this matter to the Executive for decision on 14 September 2017, this Committee recommends that the Executive determines this matter instead in accordance with Paragraph 12.16 of Part 3E of the Constitution of the Council (which states that "the Executive may require a matter in relation to an executive function due to be considered by an area committee to be determined by itself, in which case the delegation of that matter to the area committee shall cease to apply").
 - vi) that this Committee notes, in any case, that the Executive has the option of determining this matter when it next meets on 12 September 2017 in accordance with Paragraph 12.16 of Part 3E of the Constitution of the Council and the Executive's own resolution of 20 September 2016.
- 2.13 A meeting was held in City Hall on 10 August 2017 attended by the Portfolio Holder (Regeneration, Housing, Planning and Transport), officers from the CityConnect 2 design team and representatives from some of the businesses located on Valley Road, namely Uriah Woodhead, West Yorkshire Fellmongers, Trevor Isles and P.F.Farnish. The businesses voiced their concerns regarding the proposals to make sections of Valley Road one-way to vehicular traffic and the problems that this would cause them, particularly in terms of deliveries, customer access, potential loss of trade and the potential negative effect that the scheme would have on future development plans. The businesses requested that the proposed route of the cycleway be re-considered with particular emphasis on the option of using Midland



Road instead of Valley Road. The issues raised at the meeting have been further investigated and relevant points are included within Other Considerations in section 3 below.

3. OTHER CONSIDERATIONS

- 3.1 Prior to advertising the TRO's a consultation exercise was held for residents, businesses and the general public. Businesses were also contacted individually and offered one to one meetings to discuss any issues and concerns. Following these meetings, design modifications were made to the proposals and a revised scheme was presented to the Executive on 20 September 2016.
- 3.2 Consideration has been given to acquiring some land between Valley Road and the railway in order to construct the cycle track adjacent to Valley Road, which would allow existing traffic flows on Valley Road to remain unchanged. During the initial design stage enquiries were made with the landowner about purchasing a strip of land to enable the construction of the cycleway, but the landowner was not prepared to sell a strip as this would render the remainder of the land unusable for development. However, he was prepared to negotiate selling the whole of the plot with a suggested price circa £500K. No sources of additional funding could be found for the acquisition of this land and so this option could not be advanced.
- 3.3 Since the Bradford East Area Committee meeting on 11 July 2017 a review has been carried out to reassess the potential for alternative routes a) through the land between Valley Road and the railway; b) along Canal Road and c) along Midland Road. In addition, a survey to determine the structural integrity of the wall alongside Valley Road has been carried out.
- 3.4 A review of the land situation has been undertaken in July/ August 2017. Enquiries have found that the land has recently been advertised for sale with an asking price of £475K and negotiations between a third party and the current owner are now at an advanced stage. The purchaser has confirmed that they would not be willing to dispose of all or part of the site to Bradford Council, as to do so would render the site unusable for the purpose for which it is being acquired.
- 3.5 A structural survey has recently been carried out on the existing stone wall located on Valley Road to assess its condition. Although the report has still to be finalised, indications are that a substantial cost will be involved in returning the wall to a sound condition. In the short term, relatively low cost measures could be carried out to protect cyclists from falling masonry, and these could be financed from the scheme budget. However, the responsibility for the safety and repair of the wall rests with the landowner, although the highway authority has powers to compel the landowner to carry out repairs or do the repairs itself and then re-charge the landowner when it is deemed that the hazard is a danger to the public. Due to the current situation regarding the land being subject to sale, it is unknown what the future plans are for dealing with the wall, but discussions will take place in due course.



- 3.6 Consideration has been given to an alternative route via Midland Road and Hamm Strasse. Although the geometry and width of Midland Road itself would enable a segregated cycleway to be constructed, this option would result in a longer, indirect route and introduce a steep hill in an otherwise level route. In addition, a segregated cycle track along Hamm Strasse would require space to be taken from the carriageway, thereby reducing the traffic capacity of this major road as the footway alongside Hamm Strasse is too narrow to convert into either a segregated footway and cycle track or enable a safe shared space for cyclists and pedestrians to be created because of constraints caused by the bridge and associated parapet walls. The higher level of air pollution along Hamm Strasse would also be a concern for cyclist's health. This route, therefore, is not considered to be a feasible option.
- 3.7 Consideration has been given to the possibility of an alternative route along Canal Road. Although this route is the most direct and level in terms of gradient, it was discarded due to the adverse effect on the traffic capacity of Canal Road and the lack of feasible solutions for crossing numerous side roads and accesses along the route. The footway on the west side of Canal Road is not wide enough to convert into a segregated footway and cycle track and as such, land adjacent to the back of the footway belonging to third parties would have to be acquired or the carriageway would need to be narrowed in order that all the changes could be made within the limits of the highway. The cost and timescale of acquiring any land is beyond the scope of the funding requirements and so the only option remaining would be to reduce carriageway space, resulting in a reduction of highway capacity. Since Canal Road is a strategic corridor on the highway network of the district the idea of reducing capacity was enough to discount this option. For comparison, Canal Road carries 35,000 v.p.d. (vehicles per day) whereas Valley Road carries 3,000 v.p.d.
- 3.8 The CityConnect Advisory Group which comprises mainly cyclists experienced in similar schemes have commented and provided advice throughout the scheme development process. The group support the current scheme proposals and the advertised TRO's.
- 3.9 Local ward members and the emergency services have been consulted on the advertised TRO's and they have not raised any objections.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 Funding for the scheme will be provided by the West Yorkshire Combined Authority, as part of the £22.107 million Government funding for Phase 2 of the Cycle City Ambition Fund. The WYCA Transport Committee approved funding for the scheme at a meeting on 14 July 2017.
- 4.2 City of Bradford MDC staff resources and specialist technical services required to deliver and develop the programme in accordance with this report are funded through the programme budget.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES



- 5.1 The governance of this project is the responsibility of the WYCA and is controlled under their Assurance Framework. A rigorous project management system is in place for all West Yorkshire Transport Fund projects based around the OGC PRINCE2 (Projects in Controlled Environments) and MSP (Managing Successful Programmes) methodologies. The scheme described in this report will be subject to these processes.
- 5.2 Tenders have been invited and can be held until 15 August 2017 by which time a contract should have been entered into. The preferred Tenderer has agreed to extend this deadline but this relies on goodwill and may be withdrawn at any time. The risks of the Tenderer withdrawing their offer and the Council having to repeat the tender process increase as time goes on. If this was to happen then the Council and the Tenderers would have incurred abortive costs, prices may also increase and there would be a further demand on the budget.
- 5.3 Discussions with the DfT have been held regarding extending the deadline for spending the grant money. They have agreed to extend the deadline as long as there is a commitment to delivering the scheme but again this depends on goodwill and may be withdrawn if that commitment cannot be demonstrated.
- 5.4. If the scheme is not delivered on time and to budget there would be a risk of damage to the Council's reputation with the Government, WYCA and the general public in its ability to deliver major infrastructure projects.

6. LEGAL APPRAISAL

- 6.1 The Council has powers under Section 65 of the Highways Act 1980 to implement cycling infrastructure programmes of this nature. The Council may also use TRO's to secure the expeditious, convenient and safe movement of all traffic including cyclists. Members must consider the objections to each of the TRO's on their merits and properly balance the weight to be given to those objections and to the Officer comments in deciding whether or not to overrule the objections

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

The programme provides facilities for active travel, supporting equality and diversity.

7.2 SUSTAINABILITY IMPLICATIONS

This significant cycling programme has multiple benefits in terms of sustainability. It offers positive contributions to environmental, personal and community well being and because this is a significant piece of capital infrastructure its benefits and



values continue to be generated over the long term.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

The programme focuses on accelerating the delivery of the LTP's target of increasing journeys by cycle, reducing CO2 and improving air quality. It should aid a reduction of the Council's own and the wider District's carbon footprint and emissions from other greenhouse gasses.

7.4 COMMUNITY SAFETY IMPLICATIONS

The scheme will offer improved safety for cyclists and maintain facilities for pedestrians.

7.5 HUMAN RIGHTS ACT

Part II of The First Protocol of the Human Rights Act provides that every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. This provisions does not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest. On balance Members are entitled to conclude that the general interest prevails over any interference with private interests which might arise by the future implementation of the TRO.

7.6 TRADE UNION

There are no Trade Union implications arising from this report.

7.7 WARD IMPLICATIONS

The scheme lies substantially within the Bolton and Undercliffe Ward and the City Ward. Members and the local community and businesses have been consulted on the proposals to date.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

None

8. NOT FOR PUBLICATION DOCUMENTS



None

9. OPTIONS

None

10. RECOMMENDATIONS

- 10.1 That the progress on actions undertaken to support delivery of the CityConnect 2 – Bradford Canal Road Corridor Cycleway scheme be noted.

11. APPENDICES

- 11.1 Appendix 1 – Drawing showing the proposed route of the scheme and the general effect of the Moving Traffic Order on Valley Road.

12. BACKGROUND DOCUMENTS

- 12.1 Scheme file number 103116.
- 12.2 Transport Study in Support of the Shipley and Canal Road Corridor AAP May 2015.
- 12.3 Report of the Strategic Director – Regeneration to the meeting of Executive held on 20 September 2016.
- 12.4 Report of the Strategic Director (Place) to the meeting of the Bradford East Area Committee held on 11 July 2017.
- 12.5 Report of the Strategic Director (Place) to the meeting of the Overview and Scrutiny Committee held on 25 July 2017.
- 12.6 Report of the Strategic Director (Place) to the meeting of the Executive held on 12 September 2017.
- 12.7 Highways Act 1980.
- 12.8 Road Traffic Regulations Act 1984.

