

## CONSULTATION

The Scottish Ministers welcome comment on the proposal to make the Regulations and in particular in relation to the bus lane provisions, and would welcome any specific reference to safety considerations by consultees in support of their comments.

### **Response by the City of Edinburgh Council to:**

#### **Consultation on The M9/A90/M90 Trunk Road (Humbie Rail Bridge to M9 Junction 1a) (Variable Speed Limits and Actively Managed Hard Shoulder) Regulations 2012 and The M9/A9 Trunk Road (Newbridge to Winchburgh) (Variable Speed Limits and Actively Managed Hard Shoulder) Regulations 2012**

The City of Edinburgh Council welcomes the introduction of the Intelligent Transport System (ITS) which enables installation of Variable Speed Limits and Actively Managed Hard Shoulders and includes the operation of a full time permanent southbound bus lane on the hard shoulder of the M9 Spur continuing on to the hard shoulder of the southbound carriageway of the M9 between Humbie Rail Bridge at Kirkliston and Newbridge Junction.

The Council has not experienced significant road safety concerns while operating similar bus lane facilities in the vicinity of the southern approach to the Forth Road Bridge. Bus lanes on the A90 between Dalmeny and west of the B924 southbound merge slip at Dolphington were introduced in January 2000. At the same time the Council also introduced a bus lane on the southbound merge slip of the Burnshot Junction. Subsequently in April 2001 the Council introduced a further bus lane on the B924 southbound merge slip. The Council has not noted any ongoing road safety concerns since implementation of these bus lanes; retrieval of detailed collision data for the A90 Dalmeny - B924 at Dolphington reveals only two collisions where the causation can be linked to the bus lane traffic signals in the 10 year period between August 2001 and the end of July 2011).

The Consultation document states that the 2012 Regulations will restrict use of the hard shoulder as a traffic lane to buses which can carry 24 or more seated passengers to "support safe and effective use of the lane and as directed by the Safety Management Steering Group". The Council does note that (in comparison to the *Consultation on the M9/A90/M90 Trunk Road (Kirkliston to Halbeath) (Variable Speed Limits and Actively Managed Hard Shoulder) Regulations 2012 and the A823(M) Trunk Road (Pitreavie to Masterton) (Variable Speed Limits) Regulations 2012* which was undertaken earlier in 2012), the threshold has been lowered from "buses that can carry more than 28 passengers" to "buses which can carry 24 or more seated passengers". The Council does, however, continue to consider the proposed requirement for the size of bus set out in this consultation to be too restrictive, and welcomes the commitment to review this as set out on Page 10 of the Consultation document:

"The Scottish Ministers will monitor the effectiveness of the operation of the lane and commit to making any necessary amendments to the 2012 Regulations to cater for buses which can carry a different number of passengers, including all buses, if it can be demonstrated that it will be safe and effective to do so".

The Council is not aware of any evidence from elsewhere to show that use of the hard shoulder by smaller buses would jeopardise road safety or reduce the effectiveness of the bus lanes, and notes that none is identified in the Consultation material. The Council would initially suggest a lower threshold is required in order to maximise the use of the Public

Transport Corridor; a restriction limiting use to vehicles carrying 8 or more passengers (as per the existing bus lanes between Ferry Toll and Barnton) would be reasonable, and would like to be kept informed of the process for reviewing the operation of this facility as referred to above.

The bus priority scheme was identified in the Forth Replacement Crossing Public Transport Strategy (FRCPTS) and is in alignment with the Council's views on the importance of allocating resources to ensure the provision for public transport is an integral part of the construction process, and of the long term future of the scheme. The Council was in agreement with the inclusion of more detailed proposals for bus priority in the Forth Replacement Crossing Refreshed Public Transport Strategy (FRCRPTS), published in August 2012 which identified "Hard Shoulder Running for buses on the M9 approach to Newbridge (Southbound only)" as implementation 5 on Page 20. The Council is in agreement with this element of hard shoulder running being proposed as a permanent fixture as part of this particular Consultation, and continues to be supportive of the permanent installation of the other Southbound hard shoulder running bus priority measures. This would mean they would be brought into alignment with the sections referred to in this Consultation, which would maximise understanding of, and compliance with, the Regulations by all road user groups.

In conclusion, the Council supports the installation of a bus lane facility making use of the hard shoulder. Experience from similar facilities on the south of the Forth has shown minimal road safety concerns over a 10 year period. The Council would suggest that, in line with the sentiments of the FRCRPTS, the facilities for, and use of, public transport provision should be maximised where possible. As such the Council continues to suggest that the minimum vehicle capacity should be lowered to 8 passengers.