

Report for Resolution

Report to Norwich Highways Agency Committee
23 September 2010
Report of Head of Transportation
Subject Tourist Vehicles – Use of Pedestrianised Streets

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Purpose

The purpose of this report is to consider Mr Agombar's request for The Sightseeing Tour of Olde Norwich to be able to use King Street and Timberhill

Recommendations

Members are recommended to:

1. Decline the request to allow The Sightseeing Tour of Olde Norwich to be allowed access through the road closures on King Street and St Georges Street.
2. Ask the Head of Transportation to inform all current and future tourist operators in the City that no exemptions will be made to allow them to use pedestrianised streets unless there is a material change of circumstances to the current road network
3. Ask the Head of Transportation to consider access to Timberhill as part of any pedestrianisation of Westlegate.

Financial Consequences

There are no direct financial consequences of this report. If members are minded not to accept the recommendation any work involved in taking the issue forward would be funded by the tourist vehicle operators.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority "Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future" and the service plan priority of improving the environment for pedestrians.

Contact Officers

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Background Documents

Minutes ion NHAC – March 2010

Report and Minutes of NHAC September 2007, May 2008.

Report

Background

1. At your meeting in March 2010 Mr Agombar, operator of The Sightseeing Tour of Olde Norwich asked under public questions whether consideration could be given to him being allowed to use the pedestrianised section of King Street, going through the closure point, and Timberhill. The full question and the minutes of the response are attached as appendix 1
2. Subsequent to the committee, Mr Agombar e-mailed to say that he was the only small Passenger Carrying Vehicle (PCV) operating as a scheduled bus service in the City and therefore allowing him access would not set a precedent for other vehicles. He has also asked that if his request for access to pedestrianised streets is to be considered he would like to include St Georges Street, which was closed to through traffic in 2008.

History

3. Members may recall that in 2008 permission was granted to allow the road train to use King Street. The road train was a vehicle specially licensed by the Secretary of State under the Road Traffic Regulation Act 1988. Due to the restricted speeds it was capable of, a designated route was defined for the road train which avoided the ring road and other streets where it might potentially cause congestion. As a result of these restrictions it was necessary to allow the Road Train access along King Street through the road closure.
4. At the time, Mr Agombar asked also to be allowed to use King Street. The request was denied, however. The grounds for this were that his vehicle did not have the same route restrictions placed on it and that many tourist sites such as Mousehold Heath were available to him that were not available to the road train operator.
5. Mr Agombar has repeated his request on several occasions since then and the request has always been declined. In the most recent requests, Mr Agombar states that since the opening of the Lady Julian Bridge he is turning his charabanc on King Street in an area where there is more pedestrian activity than before. He claims that this presents a hazard.
6. Mr Agombar is also asking that if Westlegate were to be closed in future, that he should be allowed to use Timberhill as an alternative route. Additionally he would like us to reconsider his request for access through the closure point on St Georges which has previously been rejected.

Assessment

7. Currently there are two tourist vehicles operating in Norwich, Mr Agombar's charabanc and the Awaydays double deck bus. In granting Mr Agombar an exemption members will need to be mindful that the operator of the Awaydays has indicated that he would expect to receive the same concessions as Mr Agombar.

8. Given the restrictions on the routes the Road Train could use it was possible to justify why one tour operator was treated differently to the others. However if both operators are using vehicles that are entitled to use any carriageway in the public highway, this argument is not sustained.
9. The two current vehicles are clearly different, and the nature and size of their vehicles does mean that the Charabanc is accessible to some areas that the Awaydays Tour is not (e.g. Elm Hill and Dragon Hall). Opening up routes that could physically cater for both size vehicles and then restrict them to the smaller vehicle only is difficult to justify.
10. The road train operated with both a driver and a banks-man, meaning that at no point was the vehicle left unattended while the bollard was unlocked and then locked again. Both current tours are operated by the driver only meaning that the vehicle will have to be parked, the driver alights to unlock the vehicle then returns to drive it through before parking it again and returning to relock the bollard. This increases the time the bollard is open and the likelihood that other vehicles will “tailgate” the tourist vehicle.
11. On both King Street and St Georges there are residential properties adjacent to the street that could be potentially be overlooked by the sightseeing vehicles, and particularly from the top deck of the Awaydays bus. There is also the issue of disturbance caused to the residents by the commentaries that both operators use.
12. The council already receives complaints about the number of vehicles using the pedestrianised streets and introducing more vehicle movements may undermine the principles of the pedestrianisation.
13. Mr Agombar claims that the increased numbers of pedestrians in King Street are making it dangerous for the Charabanc to turn round in the mouth of St Ann Lane. There is more than adequate space for such a manoeuvre in this area and with any reversing movement the onus is on the driver to ensure that it is safe to do so. The increased number of pedestrians in the street could be used as an argument not to allow further vehicle access in the area as currently on the St Ann Lane side particularly of the closure the pedestrians are not expecting to encounter any vehicles.
14. The advice from our legal services team is that we could not grant an exemption to a named individual or company from a traffic regulation order. The exemption would have to be for a type of vehicle¹. As Mr Agombar states he is the only operator of a small PCV on a tourist route in the City. However should any other operator decide to start up a similar operation using a vehicle that could carry between 9 and 22 passengers would be entitled to use any streets where such an exemption had been granted.
15. In conclusion, it is therefore recommend that tourist vehicles are not allowed through the closure points on King Street and St Georges. Any consideration of use of Timberhill should be included as part of any scheme to pedestrianise Westlegate.

¹ A generic definition was drawn up for the road train so if in future another operator emerges the TROs are already in place.

16. If Members were minded to grant Mr Agombar's request then consideration would need to be given as to what type of vehicle is granted the exemption; a small PCV or any PCV operating on a tourist route.
17. To achieve any exemption a Traffic Regulation Order (TRO) would need to be advertised. Any changes to TROs that are required for commercial reasons or as a result of development have to be funded by those who are to benefit from the changes. Members are reminded that the process of securing a TRO involves a period of statutory consultation with the chance for any interested parties to object to the proposal and there are no guarantees that an advertised TRO will be implemented. The financial risk of this sits with the organisation requesting the TRO. The current charge we make for a permanent TRO is £1695 +VAT, which we would require payment for in advance. Depending on which type of vehicle members are minded to exempt it would be a matter for the 2 operators to decide how to fund this.

1. PUBLIC QUESTIONS

Question 1 – Tourist Bus

Mr Frederick Agombar asked the following question:-

'I am now in the fifth year of operating what has been described by seasoned foreign visitors as the best sightseeing tour in Europe, by a couple from Vancouver as the "Highlight of their tour of England, by a York Tour Guide as the best tour he has ever been on and a couple came all the way from Australia to Norwich after seeing my website.

Everything I have ever asked Norwich City Council for has been refused. Norwich City Council highways closes roads which are on my route and I am forced to do three point turns (which is prohibited on Castle meadow) and take a longer route of nil historical interest. In 2006 the tour took 55 minutes and now averages 1 hour and 15 minutes. I have shortened the route twice. I am asking for help to re-route the tour using two pedestrianised streets. The vehicle is only 14 ft long and 6 feet wide and would only go through 6 times per day from April to October between 10.00 and 16.00 hours. The first and most important is getting between Riverside Road/Thorpe station and King Street. Both existing routes involve 5 traffic lights (and a very difficult turn) and nothing of any historical interest. I am requesting that I am given a key to the post in the centre of King Street as was done with the road train recently operated by former a former councillor. The bus lane on Rose Lane could be used and turn left onto Greyfriars and straight over the lights into King Street. Travelling along King Street from Rose Lane would give tourists views of the oldest street in Norwich and another of the 32 medieval churches instead of a modern development. I have to reverse into St Anne's Lane next to Dragon Hall which has now become dangerous as hundreds of pedestrians now walk along from the new bridge. Last year on one day there two near misses when pedestrians walked behind the vehicle as it was reversing.

I am also asking that when Westlegate is pedestrianised I am allowed to use Timberhill as permission was given for the road train. The alternative route would add 4 more traffic lights and again very modern buildings of nil historic interest. Timberhill is a very historic street with any old and interesting sights. Tourism is the biggest money earner in this country not in £millions or in £billions but in £trillions. I am possibly Norwich's best tourist attraction but I am not being helped by Norwich City Council.'

The Head of Transportation and Landscape in response said that the question related to decisions made by the committee previously in relation to the road train which had operated in Norwich for 12 months. The road train was a specific vehicle and was restricted to operating at speeds less than 20 mph; required to have an attendant seated on the back of the train; and could not return to its base in peak hours. Dispensations had been made to compensate for these constraints. The tour bus was a conventional vehicle and therefore was not restricted from streets used by other vehicles. He advised members that applicants were expected to pay for any traffic regulation orders (TROs) required.

Discussion ensued in which members expressed concern that the tour bus operator had to undertake difficult turns on the route; were sympathetic to the

request to include King Street from Rose Lane and suggested that consideration be given to the request and that officers reported the detail to a future committee meeting. Members were advised that it would be difficult to restrict dispensations to this tour bus and there was potential that other vehicles would be allowed access.

RESOLVED to ask the Head of Transportation and Landscape to report on the feasibility of extending the route of the tour bus to a future meeting of the committee