

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

8 DECEMBER 2011

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Regeneration & Transport – Lead Cabinet Member - Councillor Mike Smith

TAXIS IN BUS LANE – STOCKTON-ON-TEES BOROUGH

1. Summary

The Stockton Hackney Carriage Drivers Association requested that taxis be permitted to use bus lanes during the 2010 Housing and Community Safety Select Committee Scrutiny Review of the Taxi Licencing service. Their view is that they are part of the wider public transport service and are at a disadvantage in not being able to utilise the dedicated bus lanes in the Borough. This leads to them having to take longer routes in some cases which is not welcomed by their passengers.

As a result of their request a report was compiled with input from a number of stakeholders including the Police, Sustrans, bus operators and Tees Valley Unlimited. None of these organisations supported the proposal and most of which actually objected on a number of grounds but principally on safety concerns.

Conversely the Hackney Carriage Drivers Association referred to a number of the local authority areas where taxis and in some cases private hire vehicles are allowed to use bus lanes. Each of the areas referred to by the Association was examined and taken into consideration before reaching a recommendation.

Because there are a number of contra-flow bus lanes in the Borough and taking on board the particular safety concerns around allowing taxis in bus lanes from various stakeholders the considered view in that this request cannot be supported.

2. Recommendations

It is recommended that:

1. Cabinet agree the policy of not allowing taxis to utilise bus lanes in the Borough.
2. Cabinet note that permits to allow disabled accessible hackneys and private hire vehicles to access the restricted northbound lane of Stockton High Street will now be made available free of charge.

3. Reasons for the Recommendations/Decision(s)

1. Significant concerns exist over the safety for other road users, the passengers in buses and pedestrians as evidenced by objections and concern from bus operators, Sustrans, the Police and Tees Valley Unlimited.
2. Journey times on bus routes and the operation of bus hurry call facilities will be adversely impacted by allowing significant numbers of taxis to use the bus lanes and the likelihood of taxis stopping to pick up or drop off passengers.
3. The licensing policy in the Borough means that there is a limited difference in appearance between hackney carriages, private hire vehicles and private cars. All of which are in essence motor cars, the only difference with a hackney carriage is that they are black in colour and have a small roof sign. This would make enforcement of the bus lane very difficult and could be perceived by other motorists as having no restrictions in place.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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SUMMARY

The Stockton Hackney Carriage Driver Association has requested that consideration be given to allowing taxis to use the bus lanes in the borough. Their stance being that they provide part of the overall public transport service in the borough and are being disadvantaged in not being allowed to use bus lanes.

In response to their request a number of stakeholders were consulted and evidence provided by the Hackney Carriage Drivers Association taken into consideration in the development of the report (**Appendix 1**). The conclusion of that report was that the request be refused, principally on safety grounds.

RECOMMENDATION

It is recommended that:

1. Cabinet agree the policy of not allowing taxis to utilise bus lanes in the borough.
2. Cabinet note that permits to allow disabled accessible hackneys and private hire vehicles to access the restricted northbound lane of Stockton High Street will now be made available free of charge.

DETAIL

1. The Scrutiny of Taxi Licensing arose from a recommendation as part of the Efficiency Improvement and Transformation (EIT) Review of Regulatory Services in 2010. One of the outcomes being that consideration be given to allowing taxis in bus lanes as requested by the Stockton Hackney Carriage Drivers Association (SHCDA)
2. The SHCDA position is that they should be afforded the same opportunities as bus operators in using the bus lanes as they deliver a public transport service. They have to make longer journeys in some cases because they cannot use bus lanes and this can lead to issues with passengers.
3. Another issue raised by the SHCDA is the need to drop off disabled passengers in the central part of Stockton High Street. However it should be noted that a permit system already exists to allow this to take place.
4. The SHCDA has made reference to a number of other local authorities that allow taxis in bus lanes in the country and asks why Stockton does not follow suit.

Bus Lanes

5. Bus lanes have existed in Stockton for fifteen years and have been developed to support the public transport service by reducing journey times which are fundamental to the efficient and economic delivery of a low service. One of the key benefits to passengers is the reliability and punctuality that can be achieved by having dedicated bus lanes.
6. It is accepted that some other local authorities have allowed taxis in bus lanes, however each authority needs to take a view based on local circumstances. As a rule taxi volumes and drop off/pick up behaviour should not interfere with bus operations and the use by taxis does not encourage infringement by other vehicles i.e. taxis must be readily identifiable vehicles.
7. We have a number of taxi lanes in the Borough that operate at different times depending on peak flows and some where they operate as contra flow; e.g. Westbury Street, Stockton High Street and Mandale Road.
8. As part of the Tees Valley Bus Network Improvement Scheme, new bus lanes and hurry call facilities are being installed throughout the Borough on the core routes.

Taxis

9. Stockton has just over 300 licensed hackney carriages and just under 300 private hire vehicles. Taxi is the generic term for hackney carriages that can ply for hire, picking up passengers that have not pre booked.
10. Private hire vehicles need to be pre-booked but are very similar in appearance to hackney carriages apart from not having a roof sign and not being black in colour.
11. In response to the requests from disability groups, an annual permit system (£10 fee) was introduced in 2004 to allow disabled accessible hackneys and private hire vehicles to access the restricted northbound lane of Stockton High Street. Less than 10% of hackney carriage vehicles in the Borough are currently disabled accessible vehicles. It is proposed that the issue of these permits will now be made free of charge.

Other Local Authorities

12. Neighbouring authorities were contacted by officers to compile a position statement on current policy across the Tees Valley. Authorities from further afield such as Edinburgh and Birmingham were contacted by the SHCDA to understand their policy on taxis in bus lanes.
13. The position does vary from taxis and private hire vehicles being allowed in bus lanes to just taxis. In some cases the authorities did accept that there is in practice no enforcement of restrictions. In major cities in particular, many of the bus lanes are 'with flow' and do not carry the same road safety concerns that are associated with contraflow bus lanes, of which there are three examples in Stockton. In addition, many of the cities researched have an enforced policy of Hackney Carriages being of a 'London Cab' style, making them easy to distinguish for enforcement purposes. This is why some of these authorities have allowed Hackneys only into bus lanes.

Consultation – Stakeholders

14. A number of stakeholders were consulted in bringing together the report and their responses are in that report in full (**Appendix 1**). In summary the responses are:
 - Sustrans – as a leading charity promoting sustainable transport they are opposed to allowing taxis to use bus lanes for a variety of reasons, not least the fact that bus

lanes are an attractive place to cycle but allowing taxis in the bus lanes would detract from that.

- Bus operators – the two main bus operators Arriva and Stagecoach, were consulted and both were opposed primarily over concerns on road safety. They were particularly concerned over sudden manoeuvres, including u-turns, and that they would stop in bus lanes to drop off/pick up fares and delay buses.
- Stockton Police – concerns over potential for an increase in collisions and road safety issues coupled with difficulty in resourcing any enforcement.
- Disability Advisory Group – The main concern of the group centred on Stockton High Street and that the permits should be issued to all taxis free of charge.

Stockton Town Centre

15. The redevelopment of Stockton High Street will lead to a number of changes to Taxi ranks, bus lanes and accessibility for taxis. Discussion has taken place with the SHCDA on the proposals for the High Street and their views have been incorporated as far as possible into the design of the scheme.

Conclusions

16. Whilst recognising the validity of the request by SCHDA to allow taxis to use bus lanes, the conclusion is that this cannot be supported for three key reasons:

- Concern over road safety, particularly in contra-flow bus lanes where manoeuvres and turning would be in conflict with the main flow of traffic. In particular, both Stockton High Street and Mandale Road are one way streets with a contra flow bus lane traffic regulation order. To enable access in such areas would require revocation of the bus lanes to allow two way access for all traffic.
- Impact on journey times for bus services.
- Difficulty in enforcement due to hackney carriages being very similar in appearance to other motor cars. The principle of access to bus lane would then be challenged by the private hire trade leading to an increased number of vehicles in bus lanes that are of regular appearance leading to increase confusion and further difficulties with enforcement.

17. A trial period of six months was requested and could only be justified if there were not such significant concerns over road safety. For this reason, although it is often a good approach to assess a particular policy or scheme, in this case it cannot be supported.

FINANCIAL IMPLICATIONS

18. No financial issues

LEGAL IMPLICATIONS

19. No legal implications if the policy remains unaltered.

RISK ASSESSMENT

20. Low risk policy.

COMMUNITY STRATEGY IMPLICATIONS

Economic Regeneration and Transport

21. Supports the objectives of the Tees Valley Bus Network Improvement scheme.

Safer Communities

22. This policy review came about as a request from SCHDA which raised it as an issue in the Scrutiny Review of Taxi Licensing.

Children and Young People

23. No impact.

Healthier Communities and Adults

24. Supports sustainable transport that includes active travel.

Liveability

25. Supports active travel and carbon reductions through sustainable transport.

EQUALITIES IMPACT ASSESSMENT

26. An equality impact assessment has been carried out which concluded that if Cabinet were to approve the recommendation not to allow taxis in bus lanes this would have a neutral impact as taxis are currently not allowed to access bus lanes. In addition the assessment showed that the removal of the fee for permits to allow taxis that are wheelchair adapted to access the High Street northbound has a positive impact for those with disabilities and wheelchair users.

CONSULTATION INCLUDING WARD/COUNCILLORS

27. Consultation has taken place with a number of stakeholders including Sustrans, bus operators, TVU, Stockton Police, Tees Valley local authorities and the Disability Advisory Group.

28. Members of the Housing & Community Safety Select Committee were presented the report for information but it was not circulated any wider as there were no ward specific issues.

Name of Contact Officer: Mike Chicken
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Education Related?

No

Background Papers

Taxis in Bus Lanes, a report to Housing and Community Safety Select Committee, July 2011

Ward(s) and Ward Councillors:

All

Property

N/A