

**Report to the Chief Officer (Highways and Transportation)**

**Date: 15th April 2014**

**Subject: Objections to the Extension in Pedestrianised Hours in Leeds City Centre  
Leeds City Council (Traffic Regulation) (Movement Restriction) (No.7) (Order) 2013**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City and Hunslet		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**Summary of main issues**

- 1 Executive Board approved a report on 15<sup>th</sup> February 2013 to advertise two draft Traffic Regulation Orders; Leeds City Council (Traffic Regulation) (Movement Restriction) (No.7) (Order) 2013 for the introduction of the extended pedestrian zone times of 10.30am to 8pm and one way system and Leeds City Council (Traffic Regulation) (Waiting Restriction) (No.25) (Order) 2013 for the waiting and loading restrictions that support the movement restriction.
- 2 The draft Orders were advertised between the 7<sup>th</sup> of June 2013 and the 7<sup>th</sup> of July 2013, during which time 16 objections were received. Ten related to the Waiting Order and six to the Movement Order.
- 3 Many of the objections related to the loading and unloading of goods from businesses and haulage companies. A subsequent report was approved by Executive Board in December 2013, to shorten the pedestrianised times from 10:30 – 20:00 to 10:30 to 19:00, so as to offer a compromise to the objectors.
- 4 A combination of the shortening of the hours of restriction and further negotiations with objectors resulted in all objections to the Waiting Order being resolved leaving six remaining objections to the Movement Order from cyclists, who are objecting to the fact that they will have to adhere to the existing one-way system.

- 5 This report requests the Chief Officer (Highways and Transportation) considers the remaining reported objections along with the officer's comments

## **Recommendations**

- 6 The Chief Officer (Highways and Transportation) is requested to:
- i) consider and overrule the objections received to the advertised draft Traffic Regulation Orders ; Leeds City Council (Traffic Regulation) (Movement Restriction) (No.7) (Order) 2013
  - ii) give authority to make, seal and implement the Leeds City Council (Traffic Regulation) (Movement Restriction) (No.7) Order 2013, as advertised with an amendment to the loading and unloading exemption from 8:00pm to 7:00pm; and
  - iii) instruct the City Solicitor to inform the objectors accordingly.

## **1 Purpose of this report**

- 1.1 This report details the objections received against the proposed consolidation of the existing one way system within the pedestrianised precinct in Leeds city centre; and requests the Chief Officer (Highways and Transportation) considers these objections and officer's comments.
- 1.2 The purpose of this report is to obtain authority to over-rule the objections received to the advertised Leeds City Council (Traffic Regulation) (Movement Restriction) (No.7) Order 2013 and seek approval to make, seal and implement the order as advertised with the amendment detailed at 6.ii) above.

## **2 Background information**

- 2.1 In February 2013, Executive Board supported the principle of extending the pedestrianised hours in the city centre from current times of 10.30am – 4.30pm, to new times of 10.30am – 8pm. Executive Board requested that the formal consultation was carried out.
- 2.2 Further to formal consultation and the advertising of the Orders, 16 objections were received. Ten were from the more than 300 businesses who were directly consulted who operate in the city centre, and six were from cyclists. Discussions have since taken place with all objectors, advising them that the pedestrianised hours will be reduced to 10.30am – 7pm (rather than 8pm).
- 2.3 All objections, apart from the six cyclists, have now been withdrawn, due to a combination of factors as follows:
- The reduction in pedestrianised times from an 8pm finish, to 7pm,
  - Careful negotiation with objectors, highlighting the benefits to the city centre in general.

- Offering specific dispensation to some businesses.

2.4 The six cyclists' objections still remain, but they do not relate to the extension of the hours per se. Instead these objections relate to the fact that the cyclists wish to see the area's existing one way system amended to permit easier access and egress into the city centre.

### **3 Main issues**

#### **3.1 Representations to the Council**

3.1.1 The proposed Traffic Regulation Orders received 16 objections, ten of which have since been resolved.

3.1.2 The sixteen objections came from a range of businesses and city centre users, including:

- City centre retailers, mostly small independent
- Delivery companies, and the associations who represent them
- Street traders
- Six cyclists

3.1.3 A summary of all remaining objections and their latest position has been listed in the attached table.

#### **3.5 Cyclists' Objections**

3.5.1 Objections to the proposed Movement Order were received from a total of six cyclists following circulation of the TRO proposals through the membership of the Leeds Cycling Forum and local cyclists.

3.5.2 Their objections were not related to the extension in pedestrianised hours per se. Instead they were related to the fact that cyclists are not able to cycle two ways along the network of one-way streets in the city centre's pedestrianised area and that a change to this situation was not within the scope of this project.

3.5.3 The cyclists believed that allowing two way cycling in the pedestrianised area would help to promote cycling in the city centre, by making it easier to get through the area. They argue that by allowing cycling two ways, it helps to improve Leeds' reputation as a cycling friendly city.

3.5.4 Allowing cycling two ways on a pedestrianised area is possible, and some cities do allow it. However, this would require a cycling contraflow, which would in turn require additional signage at all of the No Entry points to the pedestrianised area. This additional signage would clearly denote the ability to cycle both ways on the pedestrianised area during the permitted hours.

3.5.5 Given the specific intent of this project, officers have carefully reviewed this request and the wider issue of cycling in the pedestrianised area. It has concluded that in the present circumstances it would be unreasonable to extend the scope of

the proposals beyond those that have been published without a more detailed, thorough assessment for the following reasons:

- The additional signage required would clearly promote cycling through the pedestrianised area, which inevitably would lead to an increase in cyclists using the area. In some ways this is positive, however, the area is the city's primary retail area where pedestrians are of the utmost priority (hence the reason for the TRO). Some may feel that a significant increase in the number of cyclists may compromise the feeling of comfort and safety of pedestrians within the area.
- The potential increase in cyclists may be in conflict with the needs of some partially sighted groups, who do not support such shared uses within pedestrianised areas, because cyclists are effectively silent traffic and therefore such users are entirely dependent on respectful and safe behaviour of the cyclist.
- There are viable routes for cyclists who need to travel through the centre of the city, whilst adhering to the one way network. From North to south, cyclists can use Briggate or Albion Street; from East to West, they can use Kirkgate, Commercial St and Albion St; from West to East, they can use Albion Street, Albion Place and King Edward St; and from South to North, they can use Park Row, or Central Road, Commercial Street and Lands Lane.
- By maintaining the status quo – i.e. allowing cyclists one way, but not two ways – it is felt that currently, a balance has been struck, between the needs of pedestrians and cyclists. This has worked since the full pedestrianisation of Briggate was first introduced in the late 1990s. It is, however, recognised that the role of cycling in the city is increasing and that good access through and into the city centre will be increasingly important as cycling plays a growing role in mobility within the city.

3.5.6 In recognition of the cycling issues it is proposed that a further review and research on the provision of cycling within the core areas of the city centre should be taken during the process of developing the cycling legacy from the Tour de France and in conjunction with the ongoing development of the cycle network, for example the City Connect project. It is envisaged that this would include further surveys of current bicycle usage and behaviour in the pedestrianised area, benchmarking with other cities and further public engagement on the issues on options.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 Two main consultation exercises have taken place and as a result of each exercise, concessions have been offered. In each case, the consultation exercises involved writing to approximately 300 businesses located in the pedestrianised area, as well as discussing the proposals in detail with delivery companies and the associations that represent them.

- 4.1.2 In 2010, 44 businesses objected to proposals to extend the hours to 10am – 6pm. Most of these objections centred around the morning extension (the proposal to move the start of pedestrianised hours to 10am, back from 10:30am). So the proposals were therefore altered to take account of these concerns. It is now proposed that the start of pedestrianised hours stays at 10.30am.
- 4.1.3 The 2013 consultation resulted in 10 objections to proposals to extend the hours to 10.30am – 8pm and 6 objections to the Movement Order. As a result of this a reduction to 7pm was proposed, and this resulted in six of the 16 objections being withdrawn. A further four objections from city centre businesses were then removed by negotiation and dispensation, leaving six cyclists objecting to the Movement Order.
- 4.1.4 The Emergency Services and Metro (WYITA) were consulted by email on 31<sup>st</sup> October 2013 and none have raised objections to the proposals.
- 4.1.5 Additional, specific, consultation has taken place with the Executive Member for Sustainable Economy and Culture, City & Hunslet Ward Councillors, the Elected Member champion for cycling, Leeds City Centre Partnership Board, Leeds Cycling Forum, and internally within the Directorate. All consultees listed are supportive of the extension of the pedestrianised hours, however, the chair of and members of the Leeds Cycling Forum share the same view as the objecting cyclists in regard to the two-way cycling issue.

## **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 An Equality, Diversity, Cohesion and Integration Impact Assessment has been carried out as part of the Executive Board paper. A copy is attached as Appendix A.
- 4.2.2 The proposals in this report do not include any alteration to the current provision for disabled parking or access for 'blue badge' vehicles to the pedestrianised area.
- 4.2.3 The proposal to extend the pedestrianised hours increases the period of time during which pedestrians can enjoy a vehicle-free environment. These proposals are therefore beneficial to most groups of people, including the elderly, parents with young people, carers and some groups of people with disabilities (for example, those with a visual impairment).
- 4.2.4 The outcome of a previous impact assessment relating to the existing pedestrianised hours confirmed that it would not be viable to allow motorised vehicles onto Briggate at all times, as it would potentially increase the risk of personal injury accidents and the perception of pedestrians that they were no longer in a safe environment. This outcome was evidenced by road accident statistics on Briggate and a collective view that allowing vehicles on Briggate at all times would be detrimental to most people, including the elderly, parents with young children, carers and people with other types of disability needs.
- 4.2.5 Partially sighted campaign groups have raised concerns about cyclists being permitted to ride in the pedestrianised area (whether or not they adhere to the one way system). It is felt by some that allowing cycling presents an added danger to

partially sighted people because they cannot hear an approaching cyclist, who may be travelling at speed. However, it is also noted that evidence from studies elsewhere in the UK and abroad suggest that cyclists and pedestrians of all kinds can safely share space.

#### **4.3 Council policies and City Priorities**

- 4.3.1 The Council's City Priority Plan states that the Council should "support the sustainable growth of the Leeds economy". The proposal to extend the pedestrianised hours is aimed at improving the pedestrian and retail environment in the evening, and therefore providing a platform for an improved evening economy.
- 4.3.2 The City Priority Plan also aims to improve the environment through reduced carbon emissions. The proposal will not have a significant impact on carbon emissions, but it will improve the environment within the pedestrianised area in terms of air quality through a reduced number of vehicles.
- 4.3.3 The recently published "Leeds, Becoming the Best City Centre" document states amongst its main aims that the city centre should have a quality environment and be walkable and welcoming. The proposal to extend the pedestrianised hours helps to meet all of these aims.

#### **4.4 Resources and value for money**

- 4.4.1 The total estimated cost of the scheme is around £15,000, including signage, legal and advertising, and staff costs.

#### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 The Traffic Regulation Order has been advertised and is a public document.
- 4.5.2 The scheme is not eligible for call in.

#### **4.6 Risk Management**

- 4.6.1 If the hours of pedestrianisation are not extended there is a risk that the competitiveness of Leeds City Centre as a retail and leisure destination would be impaired, and there would be risk to the development of more diverse evening economy attractive to all people and visitors, including families.
- 4.6.2 There is a risk that the proposals could have a negative impact on a small number of businesses, however through the dispensations offered, the impact of these proposals is being minimised.
- 4.6.3 The present TRO and cycling arrangements are well established. To make a change to the present situation without further explicit consultation is likely to risk undermining this situation and substantially delaying the changes to the pedestrianised hours on which all parties appear to agree.
- 4.6.4 It is noted that by not amending the regulations there is a risk that the cycling strategy will be undermined and the wish to grow cycling through major

investments in the cycle network, including the city connect project could be prejudiced. The intention is to mitigate this risk by reviewing cycling in the city centre including present behaviours and issues to develop options for a future approach to cycle accessibility in the core pedestrian areas.

## **5 Conclusions**

- 5.1 The consultation process has resulted in alterations to the proposals to make the extension in pedestrianised hours more workable for businesses. Through negotiation and dispensation, all businesses have now removed their objections.
- 5.2 The only remaining objections are from cyclists in respect of the Movement Order, whose objections are to their required adherence to the existing one-way system.
- 5.3 It is recommended that these objections are overruled in order that the TROs can be implemented and the benefits of the extension in pedestrianised hours can be enjoyed. However, it is also recommended that a full assessment of cycling on pedestrianised areas is carried out.

## **6 Recommendations**

- 6.1 The Chief Officer (Highways and Transportation) is requested to:
  - i) consider and overrule the objections received to the advertised draft Traffic Regulation Order Leeds City Council (Traffic Regulation) (Movement Restriction) (No.7) Order 2013;
  - ii) give authority to make, seal and implement the Leeds City Council (Traffic Regulation) (Movement Restriction) (No.7) Order 2013 , as advertised with an amendment to the loading and unloading exemption from 8:00pm to 7:00pm ; and
  - iii) instruct the City Solicitor to inform the objectors accordingly.

## **7 Background documents<sup>1</sup>**

- 7.1 None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works. unless they contain confidential or exempt information. The list of background documents does not include published works.

**Table of Remaining Objections to the City Centre Pedestrianised Hours TRO (after advertising 10am until 8pm)**

Objection	Nature of Objection and comments made	Status
Objection 1	<p><b>Objects against cyclists having to adhere to the one-way system in the pedestrianised core.</b></p> <p>'I feel safer in the city centre on pedestrian streets than sharing with buses and other vehicles. In particular on Briggate I do not believe I pose a nuisance to pedestrians as it is a steady climb and I am moving quite slowly. I would support the usage of signs stating pedestrians have priority as I believe is the law where there is shared (unsegregated) usage.'</p>	<p>Remaining objection. Received after deadline passed.</p> <p>Refer to 3.5.5. and 3.5.6. above for reasons for currently not allowing two way cycling, and the proposal to carry out a full assessment in the future.</p>
Objection 2	<p><b>Objects against cyclists having to adhere to the one-way system in the pedestrianised core.</b></p> <p>'Flexibility needs to be given to cyclists in order to encourage more people to cycle, in order to gain the benefits associated with cycling'</p>	<p>Remaining objection. Received after deadline passed.</p> <p>Refer to 3.5.5. and 3.5.6. above for reasons for currently not allowing two way cycling, and the proposal to carry out a full assessment in the future.</p>
Objection 3	<p><b>Objects against cyclists having to adhere to the one-way system in the pedestrianised core.</b></p> <p>'Two way cycling (on the pedestrianised area) is a great way to show how cycle friendly Leeds can be, ahead of the Tour de France. Pilot schemes in London have been very successful'</p> <p>Quoted Cycling England and Sustrans guidance which recommends cycling two ways 'where practical' or 'unless there are proven safety reasons not to do so'.</p>	<p>Remaining objection</p> <p>Refer to 3.5.5. and 3.5.6. above for reasons for currently not allowing two way cycling, and the proposal to carry out a full assessment in the future.</p>
Objection 4	<p><b>Objects against cyclists having to adhere to the one-way system in the pedestrianised core.</b></p> <p>'Cyclists should be exempted from restrictions to help encourage cyclists and reduce carbon emissions and improve the health of the population.'</p>	<p>Remaining objection</p> <p>Refer to 3.5.5. and 3.5.6. above for reasons for currently not allowing two way cycling, and the proposal to carry out a full assessment in the future.</p>
Objection 5	<p><b>Objects against cyclists having to adhere to the one-way system in the pedestrianised core.</b></p> <p>'People should be able to travel on the most</p>	<p>Remaining objection</p> <p>Refer to 3.5.5. and 3.5.6. above for reasons for currently not allowing two</p>



	<p>convenient route, whether on foot or on a bike. Unnecessary extension of routes is particularly inconvenient for cyclists'</p> <p>'The City Council should be doing everything possible to encourage cycling'.</p>	<p>way cycling, and the proposal to carry out a full assessment in the future.</p>
<p>Objection 6</p>	<p><b>Objects against cyclists having to adhere to the one-way system in the pedestrianised core.</b></p> <p>'People should be able to travel on the most convenient route, whether on foot or on a bike. Unnecessary extension of routes is particularly inconvenient for cyclists'</p> <p>'The City Council should be doing everything possible to encourage cycling'.</p>	<p>Remaining objection</p> <p>Refer to 3.5.5. and 3.5.6. above for reasons for currently not allowing two way cycling, and the proposal to carry out a full assessment in the future.</p>