

## **SCRUTINY BOARD (SUSTAINABLE ECONOMY AND CULTURE)**

**THURSDAY, 12TH JULY, 2012**

**PRESENT:** Councillor M Rafique in the Chair

Councillors J Akhtar, D Cohen, M Lyons,  
P Wadsworth, R Harington, M Ingham,  
B Urry, J Chapman, V Morgan and  
D Collins

### **24 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents.

### **25 Exempt Information - Possible Exclusion of the Press and Public**

There were no resolutions to exclude the public.

### **26 Late Items**

There were no late items. However the Head of Scrutiny and Member Development circulated some e mailed correspondence received from interested parties and members of the public.

### **27 Declaration of Disclosable Pecuniary and Other Interests**

Councillors Lyons and Morgan declared a significant other interest in agenda item 7, Call In – Proposed Scheme to permit Hackney Carriage use of Bus Lanes, Minute 30 refers, as members of the West Yorkshire Integrated Transport Authority.

Councillor Urry declared a significant other interest in agenda Item 7, Call In – Proposed Scheme to permit Hackney Carriage use of Bus Lanes, Minute 30 refers, as a member of the Leeds Passenger Consultative Committee.

### **28 Apologies for Absence and Notification of Substitutes**

Apologies for absence were received from Councillor J McKenna, Councillor V Morgan was in attendance as substitute. Apologies were also received from Councillor J Marjoram, Councillor D Collins was in attendance as substitute.

### **29 Call In Decision - Briefing Paper**

The report of the Head of Scrutiny and Member Development informed Members of the Call In arrangements in accordance with the Council's Constitution and the options of action available to the Board. It was reported that the following options were available to the Board:

- Release the decision for implementation or;
- Recommend that the decision be reconsidered.

### **30 Call In - Proposed scheme to permit Hackney Carriage use of bus lanes**

The report of the Head of Scrutiny and Member Development presented the background papers to a decision which had been Called In in accordance with the Council's Constitution. The decision was a Delegated Decision Notice of the Proposed Scheme to permit Hackney Carriage Use of Bus Lanes.

The Chair welcomed the following to the meeting:

- Councillor J Illingworth – Signatory to the Call In;
- Councillor R Downes – Signatory to the Call In;
- Councillor G Harper – Representing the Executive Board Member for Development and the Economy ;
- Andrew Hall – Acting Head of Transport Policy;
- Paul Foster – Team Leader Special Projects;
- Dr Reather – Cyclist and representative of Leeds Cycling Action Group;
- Mike Utting – representative of Hackney Carriage Drivers in Leeds; and
- Tim Mc Sherry – Chair of Leeds Access Committee.

Councillors Illingworth and Downes along with Dr Reather presented their arguments against the proposed decision. These included the following:

- The risk or perceived risk posed to cyclists if Hackney Carriage drivers were to use bus lanes;
- That bus lanes were seen as a “safe space” by cyclists and this would be lost if the decision was implemented;
- That the benefit of the proposal in terms of increased journey time did not outweigh the negative impacts;
- That implementation should be delayed until the planned bus lane enforcement measures are put in place;
- Concerns over the driving behavior of those using the bus lane, particularly in terms of weaving in and out of the lane and the consequential risk to cyclists;
- That the city council should be encouraging the take up of cycling in the interest of public health and that this proposal would deter cyclists; and
- Concern that allowing vehicles other than buses into bus lanes will be open to abuse.

Mr Utting and Mr Mc Sherry presented their arguments in favour of the proposed decision. These included the following:

- The needs of the disabled community;
- The role of hackney carriage vehicles in the public transport “offer”;
- That taxis are a key element of the public transport system and as such should benefit from access to bus lanes as a positive approach to

improving social inclusion and mobility, especially important to disabled and older people who are unable to access buses and trains; and

- The Council's duties in terms of the Equality Act 2010.

In response to the above arguments the, officers present raised the following points:

- Other Core Cities and London allow Hackney Carriages to use bus lanes which puts Leeds at odds with these major cities;
- There being a low number of Hackney Carriages which would use the bus lanes meaning that they could be accommodated safely and that this would also provide a better service to the public; and
- Hackney Carriage drivers will be expected to remain within the bus lanes and not weave in and out.

Councillor Harper representing the Executive Member for Development and the Economy who supported the release of the decision highlighted that two million pounds had been spent on cycling routes within the City which demonstrated the Council's commitment to cycling. He also stated that there had been a 118% increase in cycling between 2004 and 2010 and that Hackney Carriages using bus lanes would not have a detrimental effect on cycling.

In response to Member comments and questions, the following issues were discussed:

- Members clarified the definition of a Hackney Carriage vehicle establishing that they are classified as a form of public transport just as a bus is;
- The reasons for the existence of bus lanes, the high number of passengers buses carry and the need to keep buses moving freely throughout the City;
- The need for improved enforcement against drivers misusing bus lanes, which the police have previously undertaken, but which now relies increasingly on roadside cameras to capture offenders;
- Members agreed that cycling and good cycle routes were a positive for the health of the City and went on to consider whether allowing Hackney Carriages use of the bus lanes would present a real danger to public safety, especially in terms of children on bicycles using the lanes as regular routes to and from school; and
- The need to ensure the best service possible is available to elderly and disable people who rely on the flexibility and door to door service of the Hackney Carriage trade.

Councillor Illingworth was invited to summarise the reasons for calling in the decision and re-iterated his earlier comments with an emphasis on the

benefits of cycling to public health and that by allowing Hackney Carriages to use bus lanes people would be less inclined to take up cycling. Councillor Downes added that cycling was a sustainable mode of transport and that increasing the traffic in bus lanes would have a detrimental effect on cyclists. It was also argued that Hackney Carriage use of bus lanes did not provide a significant enough advantage to the public to warrant the decision.

Members were asked to consider the options available to them.

### **31 Outcome of Call In**

Following a vote by Members present, it was:

**RESOLVED** - to release the decision for implementation. The Board agreed however to monitor the roll out of enforcement cameras in bus lanes and also to monitor the impact of this decision should it be implemented after the necessary statutory consultation and road traffic orders.

### **32 Date and time of next meeting**

10 am, Thursday 20<sup>th</sup> September 2012.