

Report of Director of City Development

Report to Executive Board

Date: 15th February 2013

Subject: Proposed Extension to the Hours of Pedestrianisation of the Leeds City Centre Retail Core

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

Summary of main issues

1. A high quality environment and experience for pedestrians is essential to maintain and enhance the attractiveness of Leeds city centre as a retail destination. Leeds is in competition with other centres and internet-based retailing, and the city has to keep up with changing retail trends. Retail hours are getting longer, with many retailers in Leeds expected to be open until 8pm by the end of this year. This will develop a broader and more cosmopolitan evening economy, which is more attractive to all visitors, including families.
2. The central shopping core in Leeds city centre (see attached Map A) is pedestrianised currently between 10:30 and 16:30, seven days a week. Following consultation with local businesses, it is proposed to extend the hours of pedestrianisation. The proposed new pedestrian hours would be from 10.30 to 20.00 seven days a week.
3. The consultation has not provided a consensus view on whether the pedestrianised hours should be extended. Many businesses are very supportive, but some are concerned. These concerns have been taken into account and the original proposal has been amended accordingly. Dispensations can be provided in order to overcome some of the issues raised by businesses.

4. The report seeks the views of Executive Board on:
- (i) the principle of extending the hours of pedestrianisation in the city centre's pedestrianised core;
 - (ii) the specific proposal to extend the hours of pedestrianisation from 10:30 – 16:30, to 10:30 - 20:00 seven days a week;
 - (iii) the proposals for statutory consultation. If Executive Board supports the principle of the extension of pedestrian hours, further statutory consultation would be required before the proposals could be implemented. The results of this statutory consultation will be brought back to Executive Board in order for the Board to agree how to proceed.

Recommendations

5. It is recommended that Executive Board agree:
- (i) To support the principle of extending the hours of pedestrianisation in the city centre;
 - (ii) To agree that the proposed extension in pedestrianised hours from the current window of 10:30 – 16:30 to 10:30 until 20:00, seven days a week is subject to statutory consultation for at least 21 days; and
 - (iii) To report back to Executive Board following the conclusion of the statutory consultation period to consider any final proposals brought forward.

1.0 Purpose of this report

1.1 The report seeks the views of Executive Board on:

- (i) the principle of extending the hours of pedestrianisation in the city centre's pedestrianised core (see attached Map A); and
- (ii) the proposed extension to 10:30 until 20:00 (from the current window of 10:30 – 16:30), seven days a week.
- (iii) the proposals for further consultation. If Executive Board supports the principal of the extension of pedestrian hours, further statutory consultation would be required before the proposals could be implemented. The results of this statutory consultation will be brought back to Executive Board in order for the Board to agree how to proceed.

2.0 Background information

2.1 Some retailers approached Leeds City Council in 2008 with a request to address the issue of vehicles loading in front of their retail units while the shops were trading. Retailers said that these vehicles were affecting trade negatively.

2.2 In 2010 Land Securities requested that Lower Albion Street (between the Trinity East and West sites) should be closed to vehicles entirely. An investigation by Highways officers concluded that this was not feasible. However officers agreed to explore extending the hours during which the city centre's retail core was pedestrianised, to help facilitate early evening retail and leisure trading which is already increasing as a result of the Trinity scheme.

2.3 Some members will recall that opinion was divided over the original proposal to pedestrianise Briggate in 1997, with the majority of businesses opposed, although few if any would now wish to turn the clock back. Whilst some retailers find the prospect for change difficult to face, the city centre cannot stand still. Trinity for example will provide a high quality traffic free environment for shoppers. The environment of the traditional retail core will need to improve to help retailers and cafes compete with those located inside Trinity.

3.0 Main issues - Reasons for Change

3.1 As well as the issues listed above at points 2.1 to 2.3, there are a number of reasons why an extension in the pedestrianised hours within Leeds City Centre would be advantageous.

3.2 A high quality environment and experience for pedestrians is essential to maintain and enhance the attractiveness of Leeds city centre as a retail destination. Leeds is in competition with other regional centres and internet-based retailing and the city has to keep up with changing retail trends. Retail hours are getting longer, with many stores in Leeds city centre now open until at least 7pm towards the end of the week. The peak shopping time, particularly on Saturdays, is also later than it used to be when the pedestrianisation times were first implemented in the 1990s. Retail

hours in Leeds city centre will only get longer – it is envisaged that when Trinity Leeds opens on 21st March 2013, most retailers within that development will open until 8pm, 6 days a week. This will probably lead to many retailers, particularly large retailers outside Trinity, opening until 8pm as well. This trend will assist the city in developing a broader and more cosmopolitan evening economy, which is more attractive to all visitors to the city, including families

- 3.3 Consequently, there are currently, and will continue to be, more pedestrians on the streets in the late afternoon and early evening. For example at 16.30, when vehicles are allowed onto the streets, there can be up to 20,000 pedestrians in the pedestrianised core.
- 3.4 The conflict between vehicles and pedestrians presents obvious issues in terms of both pedestrian safety and the quality of the pedestrian environment. Leeds City Council has invested around £10million on improving the public realm within the city centre over the past few years, and the presence of delivery vehicles on the streets works against the objective of providing a pedestrian friendly environment.
- 3.5 Both Trinity Leeds and the Eastgate Quarters development will provide excellent shopping environments, completely free from vehicles. To help mitigate a migration of both retailers and customers from the traditional city centre core to these developments, it is important to maintain an attractive, pedestrian friendly environment through the extension in the city centre's pedestrianised hours.
- 3.6 The layout of the streets has changed since the pedestrianisation from 10:30 – 16:30 was implemented. The streets no longer resemble trafficked streets with kerbs, but instead have the feeling of a properly pedestrianised public space. Because of this layout, pedestrians do not expect the presence of vehicles on these streets during retail hours.
- 3.7 Other city centres have longer pedestrianised hours than Leeds:

Leeds (existing): 10:30 – 16:30 (6 Hours)

Liverpool: 10:00 – 18:00 (8 Hours)

Sheffield: 10:00 – 18:00 (8 Hours)

Bristol: 08:00 – 18:00 (10 Hours)

Cardiff: 10:00 – Midnight (14 Hours)

Manchester: 11:00 – 05:00 (18 Hours)

4.0 Consultation

- 4.1 A wide ranging non-statutory consultation exercise has taken place over the last two years to establish the opinions of businesses within the affected area. This did not provide a consensus on whether the pedestrianised hours should change, or what hours they should extend to. Some businesses are of the view that an extension is essential for an evolving, successful retail centre such as Leeds, and these firms are pushing for as long an extension as possible. Other businesses, particularly smaller retailers, independents and delivery companies, believe that any extension, morning or evening, would cause problems to their businesses. These concerns have been taken into account and the original proposal has been

amended accordingly. Dispensations can be provided in order to overcome some of the issues raised by businesses.

4.2 650 letters were sent out to affected businesses in 2010, and 44 businesses objected initially to the proposals. At the time the proposals were for an extension to 10.00 until 18.00, seven days a week. In October 2012, officers contacted most of these 44 businesses and found that most of the objections centred around the morning extension (the proposal to move the start of pedestrianised hours to 10:00, back from 10:30). The proposals were therefore altered to take account of these concerns. It is now proposed that the start of pedestrianised hours stays at 10.30 in the morning.

4.3 Many of the businesses that were supportive of the initial proposals expressed the view that the benefits would be maximised if the pedestrianised hours were extended further into the evening. It is therefore proposed that the pedestrianised hours are extended until 20.00. This would be in line with the longer retail opening hours, which are becoming the norm. The evening pedestrianisation will assist the city in developing a broader and more cosmopolitan evening economy, which is more attractive to all visitors to the city, including families.

4.4 There are a range of issues that businesses have raised as part of the consultation process:

4.4.1 **Restrictions on deliveries**

The proposal to pedestrianise the streets until 20.00 (rather than 16:30) means that businesses cannot take deliveries in the evening unless the stores are staffed after 8pm, which is not the case for most small and independent businesses. Currently, most deliveries in Leeds city centre take place in the morning and it is envisaged that as a result of these proposals, some businesses will switch from evening to morning deliveries.

4.4.2 **Collections from businesses**

Collections happen for many different reasons, e.g. stock transfer from business to business, postage to customers on a next day delivery basis (maybe through internet shopping), return of end of season stock. Some retailers have claimed that this will make it more difficult to carry out internet trading. However it should be noted that this proposal does not ban collections, it simply prevents vehicles accessing the pedestrianised core up until 8pm. There are eight loading bays on roads adjacent to the pedestrianised area (Vicar Lane, Headrow, Boar Lane).

4.4.3 **Maintenance of property**

Both residents and businesses have expressed concern that it will become more difficult to maintain property as a result of these changes. This will be mitigated by the fact that dispensation will continue to be available for maintenance vehicles and emergency maintenance vehicles.

4.4.4 **Street traders**

Street traders are concerned that their day will be extended because of the requirement to stay on the pedestrianised core until 8pm. Many hot food traders experience a significant drop in trade after about 3pm. Having to stay until 8pm

would add hours to their working day with, they say, limited financial return, although this may change with increasing football in the late afternoon and early evening. Again, dispensations are a potential solution to this.

4.4.5 Egress from Car Park

There is a private car park on Lands Lane, from which currently users cannot exit until after 4.30pm. The new restrictions would require issuing users with a dispensation. This is not anticipated as a significant problem as the vehicles are all cars, are few in number, drive very slowly and, unlike larger delivery vehicles would not be stationary obstructing shop frontages.

4.4.6 Facilitating the Evening Economy

Both the City Varieties and 3 Albion Place have expressed concern that any extension beyond 4:30pm would compromise their 'set-up' for evening events. For example, the City Varieties Music Hall on Swan Street require delivery of stage related equipment from 4:30pm for an evening show, and any extension would make set up in the evening more difficult. Again this could be addressed through carefully controlled dispensations, ensuring that the impact on the pedestrianised area is minimised. City Varieties have regular shows which change regularly, so this dispensation may need to be issued on a regular basis.

4.4.7 Resistance from Delivery Companies

Delivery companies have quite strongly resisted any change to the pedestrianised hours. They say this will have a detrimental impact on their business, and their customers. Their main issue is about afternoon collections, which is described above (at point 4.4.2).

5.0 The Way Forward

5.1 As stated previously, no solution will satisfy the requirements of all parties. Leeds City Council is required to carry out formal consultation on any proposals to amend the pedestrianised hours within the city centre. This consultation involves notifying the statutory consultees, including the Freight Transport Association, and putting up site notices for a period of not less than 21 days.

5.2 Depending on the hours of extension, it is likely that this formal consultation will result in objections to the proposals. If these objections cannot be resolved between Leeds City Council and the objector, then a public inquiry would be required. The public inquiry would involve Leeds City Council notifying the Secretary of State for Transport, who would appoint an Inspector.

5.3 The cost and timescale for an inquiry would depend on the number of objections. At this stage we estimate that an inquiry could cost in the region of £35k and would add months to the process of implementing the proposals, so where possible, Leeds City Council should seek to agree the proposals with any objectors locally. If no public inquiry is required then the extension could be implemented by early Summer 2013. Results of the formal consultation will be brought back to Executive Board before Leeds City Council enters a public inquiry or proceeds to implementation of the order.

6.0 Corporate Considerations

6.1 Consultation and Engagement The consultation completed is detailed under section 4, above. If an extension is supported, statutory consultation would be undertaken with the following organisations:

- (a) On-street notices for a period of not less than 21 days;
- (b) Emergency services;
- (c) Metro; and
- (d) Freight Transport Association and Road Haulage Association.

6.2 Equality and Diversity / Cohesion and Integration. An impact assessment screening document has been completed, which has revealed that a full equality impact assessment (EIA) will need to be carried out, which will include consultation with relevant access groups. This will be carried out at the same time as the formal consultation outlined in 5.2 – 5.3, above. The EIA screening form is attached as an appendix.

6.2.1 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.

6.2.2 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). A full assessment of this will be made as part of the equality impact assessment.

6.2.4 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.

6.3 Council policies and City Priorities

6.3.1 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.

6.3.2 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.

6.3.3 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.

6.4 Resources and value for money

6.4.1 Without objections and the ensuing public inquiry, a change to the Traffic Regulation Order will take around 3 months to implement and will cost in the region of £20k. This would comprise: traffic management staff costs; and works costs including signage and advertising.

6.4.2 If a public inquiry is necessary, this will extend the implementation period to at least six months and increase the total cost to around £55k.

6.4.3 The process to change the TRO will be managed by Leeds City Centre Management in conjunction with Traffic Management.

6.5 Funding

6.5.1 All costs would be found from within the City Development Directorate budget.

6.5.2 An important decision will be to decide whether to go to a public inquiry if objections are received that cannot be resolved locally.

6.6 Legal Implications, Access to Information and Call In

An extension to the city centre’s pedestrianised hours requires a change to the relevant Traffic Regulation Order (TRO). Permanent changes to TROs are subject to The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996.

6.7 Risk Management

6.7.2 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.

6.7.3 There is a risk that the proposals could have a negative impact on small retailers and delivery companies, however the evidence is that these risks can be mitigated.

7.0 Conclusions

7.1 The consultation process has not provided a consensus view on whether the pedestrianised hours should be extended. Some businesses and organisations are opposed to the proposals (particularly independent retailers and distribution companies), whereas other businesses support the proposals and believe it is an essential part of enhancing the retail environment and encouraging a safer, more

diverse evening economy in the city centre. On balance officers believe that change is necessary and that the potential difficulties can be overcome.

8.0 Recommendations

8.1 It is recommended that Executive Board agree:

- (i) To support the principle of extending the hours of pedestrianisation in the city centre;
- (ii) To agree that the proposed extension in pedestrianised hours from the current window of 10:30 – 16:30 to 10:30 until 20:00, seven days a week is subject to statutory consultation for at least 21 days; and
- (iii) To report back to Executive Board following the conclusion of the statutory consultation period to consider any final proposals brought forward.

9.0 Background papers¹

9.1 None

¹ 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.