

## **CABINET MEMBER FOR ENVIRONMENT – 17 SEPTEMBER 2019**

### **OXFORD – WESTGATE BUS LINK (CASTLE STREET, NORFOLK STREET AND SPEEDWELL STREET WEST) – ACCESS FOR TAXIS AND PRIVATE HIRE VEHICLES**

**Report by Interim Director of Community Operations**

#### **Recommendation**

1. **The Cabinet Member for Environment is RECOMMENDED to make permanent the use of the Westgate bus link in Oxford city centre by taxis and private hire vehicles (PHVs) 7 days a week from 7am to 7pm.**

#### **Executive summary**

2. It is the view of officers that the Experimental Traffic Regulation Order (ETRO) that started on 1 May 2019 allowing the use of the Westgate bus link in Oxford by taxis and PHVs has shown that there have been no significant issues that should prevent these arrangements from being made permanent. This report details the response to the formal consultation during the first six months of the ETRO. This includes addressing the content of the objections and concerns received.

#### **Introduction and background**

3. Following a consultation in May 2018, the Cabinet Member for Environment at her decisions meeting in July 2018 approved an Experimental Traffic Regulation Order (ETRO) allowing taxis and Private Hire Vehicles (PHVs) to use the Westgate bus link in Oxford city centre (between Old Greyfriars Street and Paradise Street – shown at **Annex 1**) during the day as a through route only i.e. no passengers to be picked up or dropped off. The timing for taxi and PHV use of the bus link was subsequently set at 7am to 7pm. The experiment started on 1 May 2019 and under the terms of the ETRO will end on 31 October this year.
4. As with any ETRO, the first six months of the experiment served as the formal consultation period to help inform a decision about whether to make the arrangements permanent. Comments were received during that period and monitoring also took place then and afterwards - as allowed in the regulations, the experiment can continue to run for up to eighteen months.

## **Consultation**

5. Formal consultation on the proposals started on 1 May 2019 and ended on 31 October. A public notice was placed in the Oxford Times newspaper and sent to statutory consultees including Thames Valley Police, the Fire & Rescue Service, Ambulance service, Local Bus Companies, Oxford City Council, the local County Councillor and the local City Councillor. Letters were sent to approximately 60 properties in the immediate vicinity of the proposals.
6. In total, 21 responses were received. Eighteen via the online system. Fourteen out of 21 supported the proposals and 7 either objected or raised concerns.
7. Summaries of the responses are at Annex 2 with the full detail being available for inspection by county councillors.

## **Response to objections and concerns**

8. City of Oxford Licensed Taxicab Association (COLTA) supported the experiment as did the Oxford Bus Company. The latter's support was on the basis that the level of taxi and PHV use remained broadly stable and was not detrimental to bus operations on the bus link. Since the submission of their response, there have been no reports from bus operators about taxis or PHVs having a negative impact on bus operations in this location.
9. Of those objecting, one objected generally to allowing taxis and PHVs any more access in the city centre because of what they considered was poor driver behaviour in general. No evidence was given by the objector to support this concern and officers, therefore, do not believe this is a reason not to make the experiment permanent. Poor and dangerous driving behaviour is a matter for the police to take action on.
10. Another objector felt that the council should not be promoting more vehicle access to the city centre in favour of walking and cycling. Officers take the view that for those unable to walk, cycle or take the bus, taxis and PHVs offer a viable alternative mode of travel to the city centre. In any case, officers do not believe that the addition of taxis and PHVs to the Westgate bus link has had anything other than a very minor impact on the use of that part of the road network for pedestrians and cyclists. Apart from some concerns on this point being raised by people living on the bus link (see below), no concerns have been raised about the experiment by pedestrians or cyclists or groups representing these users.
11. One objection was on the basis that the experiment did not go far enough; access should be given to taxis and PHVs for 24 hours a day. However, access was only allowed as a through route and during the daytime because that is when taxis were experiencing by far the most delays on the alternative routes e.g. Oxpens Road/Hollybush Row. Also to prevent the possibility of additional noise disturbance for residents at night time.

12. Three further objections were from people living in or owning property on the bus link (one objection was sent on behalf of the Tennyson Lodge Residents' Company).
13. These objections all raised concerns about the impact of the additional taxi and PHV traffic on pedestrians, particularly in crossing the road. Since the start of the experiment, there have been no recorded accidents involving pedestrians or cyclists and taxis and PHVs on the bus link. There is also only limited anecdotal evidence that the additional vehicle movements have had a negative impact on people crossing the road or cycling along it.
14. Two of the submissions from bus link residents raised the point that not all taxis and PHVs were abiding by the terms of the experiment i.e. only between 7am and 7pm and no dropping off or picking up passengers. This is something that the Cabinet Member for Environment had been very clear about when agreeing to the experiment. Photographic evidence of some breaches of the terms of the experiment was supplied by a resident of Tennyson Lodge.
15. As a result, the county council commissioned a CCTV survey over three separate days in the first week of December 2019 (two weekdays and one weekend day) in the vicinity of the bend in the bus link opposite Tennyson Lodge/Paradise Square by Le Pain Quotidien/John Lewis. This found there to be an average of 7 incidents each day between 7am and 7pm of taxis or PHVs dropping off or picking up passengers.
16. Officers have written to COLTA and the city council licensing department to ask them to remind drivers of taxis and PHVs that dropping off and picking up of passengers on the bus link is not allowed.
17. Whilst some taxis and PHVs have been seen to use the bus link outside of the permitted hours (including dropping off and picking up passengers), there is now a new enforcement system using number plate recognition technology which automatically issues tickets/fines to taxis and PHVs using the bus link between 7pm and 7am. The system also addresses the issue of illegal use of the bus link by private cars at any time of the day – 2 of the bus link residents responding to the consultation were concerned that allowing taxis and PHVs to use the bus link would encourage private motorists to think they could do the same.
18. Another concern from residents of the bus link is the negative impact of the additional vehicles on air quality. However, the evidence from the ongoing monitoring by the city council in Norfolk Street does not show any clear pattern of worsening of air quality as a result of the experiment; the figure for October 2019 (27.3 micrograms per cubic metre) is only slightly higher than October 2018 (25.8). Levels of Nitrogen Dioxide in the street are still well below the recommended maximum of 40 micrograms per cubic metre.

19. Clearly all aspects of the new arrangements, should they be made permanent (as recommended by officers), will continue to be kept under review. Air quality and accidents are continuously monitored as a matter of course and we will continue to take seriously any further reports of taxi and PHV drivers dropping off and picking up of passengers on the bus link. This can be taken up with drivers through the ongoing liaison with COLTA and the city council licensing department.

### **How the Project supports LTP4 Objectives and Equalities Implications**

20. The proposals would help facilitate the safe movement of traffic. Taxis and PHVs also play an important role in ensuring people with mobility and sensory impairments can get to the city centre especially if they do not have access to a car. For those relying on taxis and PHVs for travel to and across the city centre, particularly in a westbound direction, it is reported by COLTA that there have been journey time savings as a result of taxis having been allowed to use the bus link. There is no evidence that the addition of taxis and PHVs has had a negative impact on the efficient operation of buses in and through the city centre.

### **Financial and Staff Implications (including Revenue)**

21. No further capital funding is required to make the permanent Traffic Regulation Order allowing taxis and PHVs to use the Westgate bus link. The new ANPR enforcement system already in place for bus gates and lanes in the city will automatically flag any excessive use of the bus link from 7pm to 7am. That said, the enforcement system should ordinarily keep contraventions of the TRO by taxis and PHVs to a minimum.

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Background papers:            Consultation responses  
  CMD report and minutes from 12 July 2018

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RESPONDENT	SUMMARISED COMMENTS
(1) City of Oxford Licensed Taxicab Association (COLTA)	<b>Support</b> – no additional comment
(2) Online response (Oxford resident)	<b>Support</b> – no additional comment
(3) Online response (Oxford resident)	<b>Support</b> – no additional comment
(4) Online response (Abingdon resident)	<b>Support</b> – no additional comment
(5) Online response (Oxford resident)	<b>Object</b> - Many taxis drive safely, but a significant number of them drive fast, dangerously and aggressively in central Oxford, and allowing them to do so on more roads would decrease safety for pedestrians and cyclists. They already drive down roads that they're not allowed to, flouting the "no motor vehicles" signs in the city centre. They shouldn't be granted more access unless they can behave responsibly and lawfully with the access that they currently have.
(6) Online response (Oxford resident)	<b>Object</b> – no additional comment
(7) Online response (Oxford Bus Company)	<b>Support</b> - subject to the level of taxi use remaining broadly stable. Please could this be kept under review to ensure that the number of taxis and private hire vehicles using the bus lane does not become detrimental to the operation of buses.

(8) Online response (Oxford business)	<b>Support</b> - The route helps get passengers to the railway station and bus station when the Oxpens Road is completely congested as a result of traffic to the Westgate. This route is a life saver for taxi and buses helping passengers to get to their destinations. In the trial period I have seen no incidents. The route must remain open
(9) Online response (Oxford resident)	<b>Support</b> - Black cabs must be allowed to use Westgate Centre route 24 hours a day to save the money of all their passengers and especially in busy hours like weekend nights to clear the town quickly.
(10) Online response (Oxford resident)	<b>Object</b> – Local licensed taxis should be granted access 24hrs a day. Doesn't believe the current arrangements are fair. This is negligence by local authorities to restrict taxis from services and to serve the many public citizens who wish to use alternative public transport.
(11) Online response (Oxford resident)	<b>Support</b> – no additional comment
(12) Online response (Oxford resident)	<b>Support</b> - Taxis should be allowed 24/7 to avoid traffic as they used to be able to do before the Westgate was built. Especially when all the cabs are low emission. At the moment taxis are making a long circle around the city to get to Carfax and they are making more and more carbon footprint.
(13) Online response (Oxford resident)	<b>Support</b> - Allows taxis to take potentially raucous revellers away from the city centre quickly and safely as possibly, reducing the likelihood of unpleasant scenes and wasting of police time.

<p>(14) Online response (Oxford resident)</p>	<p><b>Support</b> - As a regular user of the taxis on the station and often getting stuck down the Oxpens Road I am getting home a lot quicker since this route has been initially opened up to Taxis and PHVs</p>
<p>(15) Online response (Oxford resident)</p>	<p><b>Support</b> - If the access is linked with the new zero emission vehicles taxis should be allowed 24/7 access through the Westgate link route. There is a link to card payment in taxis being mandatory - if the licensing department make that part of their policy all the taxi drivers will buy new zero emission vehicles. For now it should remain 7pm to 7am and county council should wait till licensing department makes card payment mandatory.</p>
<p>(16) Online response (Oxford based group/organisation)</p>	<p><b>Support</b> – no additional comment</p>
<p>(17) Online response (Oxford resident)</p>	<p><b>Support</b> - I am a taxi driver in Oxford and drive a Hackney carriage. By extending the link route to full time permission for us to use the link route will help us to clear out the city centre a bit quicker and public would not have to wait on the ranks as long because this will reduce our time to go round the city even at night times.</p>
<p>(18) Online response (Oxford resident)</p>	<p><b>Object</b> - Increasing any sort of non-public transport traffic in and around the very walk-able and cycle-able streets of the centre of Oxford is counter to aims of the overall idea of reducing traffic and emissions in central Oxford. It is bad on principle and introducing significantly greater traffic from taxis on those roads will be bad in practice. Westgate should be encouraging visitors to arrive by non car means. This is an issue that should be addressed by addressing the Westgate parking and queuing issue and general congestion reduction not by granting taxis the ability to skip the queues. For pedestrians and cyclists a car driven by a taxi is no different to a privately owned car. Re-introducing cars to those areas is a terrible idea.</p>



(19) Email response (member of the public)	<p><b>Concerns</b> – lots of students from the further education college walk across Norfolk Street – taxis using the bus link pose an increased risk to these pedestrians. If taxis continue to be allowed to use the link, the permission should avoid peak hours and a speed limit should be added, enforced by cameras.</p>
(20) Owner of Tennyson Lodge property	<p><b>Concerns</b> - highlights that the terms of the experiment are being ignored, namely taxis only allowed 7am to 7pm and only then as a through route. Taxis have been observed using the bus link 7apm to 7am and also dropping off/picking up passengers. Also that drivers of private cars are now more tempted to use the bus link – following PHVs through the restriction points.</p> <p>Also raises the possibility that allowing taxis and PHVs has had a negative impact on air quality on and adjacent to the bus link.</p>
(21) Tennyson Lodge Residents' Company	<p><b>Concerns</b> – observes that the conditions of the experiment were being regularly ignored (only to be used by taxis and PHVs 7am to 7pm and no dropping off and picking up of passengers). Photographic evidence has been supplied to the council.</p> <p>Drivers of private cars appear to have been following taxis/PHVs into the bus link.</p> <p>Concern expressed about the impact of taxis and PHVs on the safety of pedestrians and cyclists – it is now harder for people to cross the road.</p> <p>The experiment could have an adverse impact on air quality.</p>