

Division: Jericho and Osney

## **CABINET MEMBER FOR ENVIRONMENT– 12 JULY 2018**

### **EXPERIMENTAL TRAFFIC REGULATION ORDER ALLOWING TAXIS AND PRIVATE HIRE VEHICLES TO USE THE WESTGATE BUS LINK**

**Report by Director for Planning & Place**

#### **Introduction**

1. This report considers the key issues raised in the recent consultation on the county council's intention to undertake an experiment allowing taxis and private hire vehicles (PHVs) into the Westgate bus link in Oxford city centre.
2. In the light of the consultation response and importance of the bus link's role in the city centre transport network, officers conclude that there is insufficient justification for carrying out the experiment, not least because delays to taxis and PHVs on Oxpens Road are now not as significant as immediately after the re-opening of the Westgate Centre (and in particular, December 2017). It is also considered that taxis and PHVs are able to pick up and drop off passengers sufficiently close to the Westgate Centre without needing to use the bus link.

#### **Background**

3. As part of the plans for the redevelopment of the Westgate Centre, the road connecting Speedwell Street to Castle Street (shown on the plan in Annex 1 and referred to hereafter as the "bus link") was proposed by the Westgate Oxford Alliance (WOA) as being used only by buses and cyclists. This exclusion of taxis and PHVs was intended primarily to:
  - ensure efficient bus operation (taxis and PHVs would add to traffic flows, but may also stop in places, causing obstructions to bus flow);
  - minimise traffic levels and create the safest and most comfortable possible environment for pedestrians and cyclists;
  - minimise air quality and noise impacts on existing and new residents along the route, including avoiding noise late at night associated with taxis picking up passengers.
4. A new taxi rank has been provided in Old Greyfriars Street, immediately next to the Westgate Centre. PHVs may pick up and set down passengers in Old Greyfriars Street, but may not use the rank. Taxis and PHVs can use Castle Street and can pick up and set down passengers in a variety of locations including St Ebbe's, New Road, Paradise Street and Paradise Square, giving good access to all parts of the Westgate Centre. They can also use at no cost the Westgate car park to pick up and drop off passengers.

5. The city and county councils supported these arrangements throughout the pre-application discussions, consideration of the planning application and the Traffic Regulation Order (TRO) process that led to the implementation of the current arrangements.

### **Request to allow taxis and PHVs to use the Westgate bus link**

6. After the re-opening of the Westgate Centre, the City of Oxford Licensed Taxi Association (COLTA) raised concerns about (i) the delays their drivers were experiencing on Oxpens Road and (ii) the difficulties servicing the new development. COLTA requested that taxis be allowed to use the bus link, not least because the bus link seemed to be operating with some spare capacity.

### **Delays on Oxpens Road**

7. The county council continuously monitors journey times between the Thames Street/St Aldate's Street junction and just west of the rail station entrance on Frideswide Square, in both directions, via Oxpens Road.
8. A summary of the key data collected since the new Westgate Centre reopened at the end of October 2017 is at Annex 2.
9. Graph 1 shows how journey times vary **throughout each day** across the period:
  - Westbound, average journey times are around 3 or 4 minutes for most of the day but increase significantly during the period 1500 – 1800. The average maximum journey time is 11.2 minutes at around 1700. Of course, these are averages and there were times when individual journey times were significantly longer or shorter at that time of day.
  - Eastbound, average journey times are around 5 or 6 minutes for most of the day increasing to 7 - 9 minutes for short periods in the morning and evening.
10. Graph 2 shows how westbound journey times varied **each month** in the busiest weekday hours (1500 to 1800) from November 2017 to May 2018:
  - Average westbound journey times were at their highest in December 2017 (14.2 minutes)
  - Since December, the monthly average for westbound journeys from 1500 – 1800 has been much reduced – the last five monthly averages have been 5.2, 9.7, 6.2, 8.3 and 5.3 minutes.
11. Journey time data is not available for the alternative route to the station for taxis and PHVs i.e. the bus link plus New Road and Park End Street, but it is generally significantly less congested, albeit by no means congestion-free. Notably, at the times when Oxpens Road becomes very congested, Park End Street in a westbound direction is usually also congested, although to a lesser extent.

## **Consultation on an experimental change to the bus link TRO**

12. In the light of the request from COLTA and westbound delays on Oxpens Road after the Westgate re-opened, a consultation was undertaken between 4 and 21 May 2018 for an experimental TRO change to allow taxis and PHVs to use the bus link. An experiment would allow the effects of the change to be monitored before making a decision about any permanent change and could be abandoned at any time. Comments may be made by anyone at any time while the experimental TRO is in force and these must be considered by the county council before making the arrangements permanent.
13. The full responses to the consultation can be found in the Members' Resource Centre. A summary of the main issues raised and officer responses is at Annex 3.
14. Overall, 22 responses were received to the consultation.
15. Six respondents supported the proposal - COLTA, Royal Cars (a PHV operator), OXTRAG, the Oxford Civic Society and two residents, citing the potential benefits of quicker taxi and PHV journey times, lower fares for all users including disabled passengers and better access to the Westgate Centre.
16. Ten respondents objected to the proposal - Westgate Oxford, eight individual residents and one on behalf of the Tennyson Lodge residents, citing concerns over road safety, air and noise pollution, how the experiment would be monitored and how the results would be used to judge whether it was considered a success or not. Opponents were also concerned that a change to traffic management arrangements was being proposed so soon after they were agreed and implemented through the planning process for the Westgate redevelopment.
17. The city council's response raised detailed points relating to a number of the issues mentioned above but overall was neutral.
18. Whilst the Oxford Bus Company response stated that it was supportive of the experiment it suggested that taxis and PHVs should only be allowed access if they meet the same emissions requirements as buses. This would rule out virtually all taxis but allow most PHVs.

## **Overall response to consultation and conclusion**

19. The new bus link delivered as part of the Westgate Centre is a critical piece of transport infrastructure that helps buses to carry thousands of passengers every day into and across the city centre. Since the opening of the Westgate, the bus link has been observed to be operating without any obvious congestion or delay and the public realm improvements and Westgate development itself have created a safe and attractive environment for pedestrians, cyclists and residents. Whilst it may at times appear under-used

at present, any spare capacity in the bus link and Castle Street will be needed in future as the city and county grow, and may also play a role in helping to relieve pressure on other city centre streets such as St Aldate's and High Street.

20. It is the view of officers that there needs to be a very clear justification for allowing taxis and PHVs to use the bus link as this has the potential to have an unacceptable negative impact on the operation, safety and amenity of this critical part of the city's bus network. Allowing taxis and PHVs to use the bus link will also result in additional movements by these vehicles (including dropping off and picking up of passengers) on other connecting parts of the network specifically Castle Street, New Road and Speedwell Street (west). New Road, in particular, carries a significant number of pedestrians and cyclists as it forms an important link in the city centre to and from the rail station.
21. It is difficult to predict exactly how many taxis and PHVs would use the bus link if it were available to them. However, based on usage of Old Greyfriars Street and Castle Street prior to the Westgate development (when they were open to taxis and PHVs) officers estimate that between 350 and 400 taxis and PHVs would use the bus link in a 12 hour period during the day. However, with the new attractions of the Westgate centre this figure is likely to be higher in future.
22. When the possibility of an experiment was first suggested, it was assumed that taxis and PHVs would only use the bus link as a through route with no dropping off and picking up of passengers. It has now been established that there is no legal mechanism to prevent this; even a red route designation allows taxis to drop off and pick up passengers.
23. Overall, it is not at all apparent that the necessary clear justification has been demonstrated to allow taxis and PHVs to use the bus link due to the reducing level of delay experienced by taxis and PHVs on Oxpens Road compared to the December after the opening of the Westgate Centre.
24. Additionally, there is adequate access for these vehicles to drop off and pick up passengers near the Westgate centre without the need to use the bus link. It is therefore not recommended to proceed with an experimental change to the TRO for the bus link at this stage. Journey times will continue to be monitored on Oxpens Road and should the delays worsen significantly this matter can of course be revisited.

### **Financial and Staff Implications**

25. If an experiment to allow taxis and PHVs to use the bus link were to proceed, changes to signing at either end of the bus link and to the traffic signal equipment and markings at the junction of Old Greyfriars Street/Speedwell Street would be needed. This could cost up to £70,000. There is no funding currently identified for this work and as such an appropriate capital business case would need to be completed in order to enter the scheme into the

council's capital programme. This would be subject to separate approval in line with the council's capital governance processes.

26. The cost of surveys needed to monitor the impacts of allowing taxis and PHVs into the bus link would be in the region of £20,000. Funding would need to be identified to pay for the surveys as no allowance has been made for this in current budgets.

### **Equalities Implications**

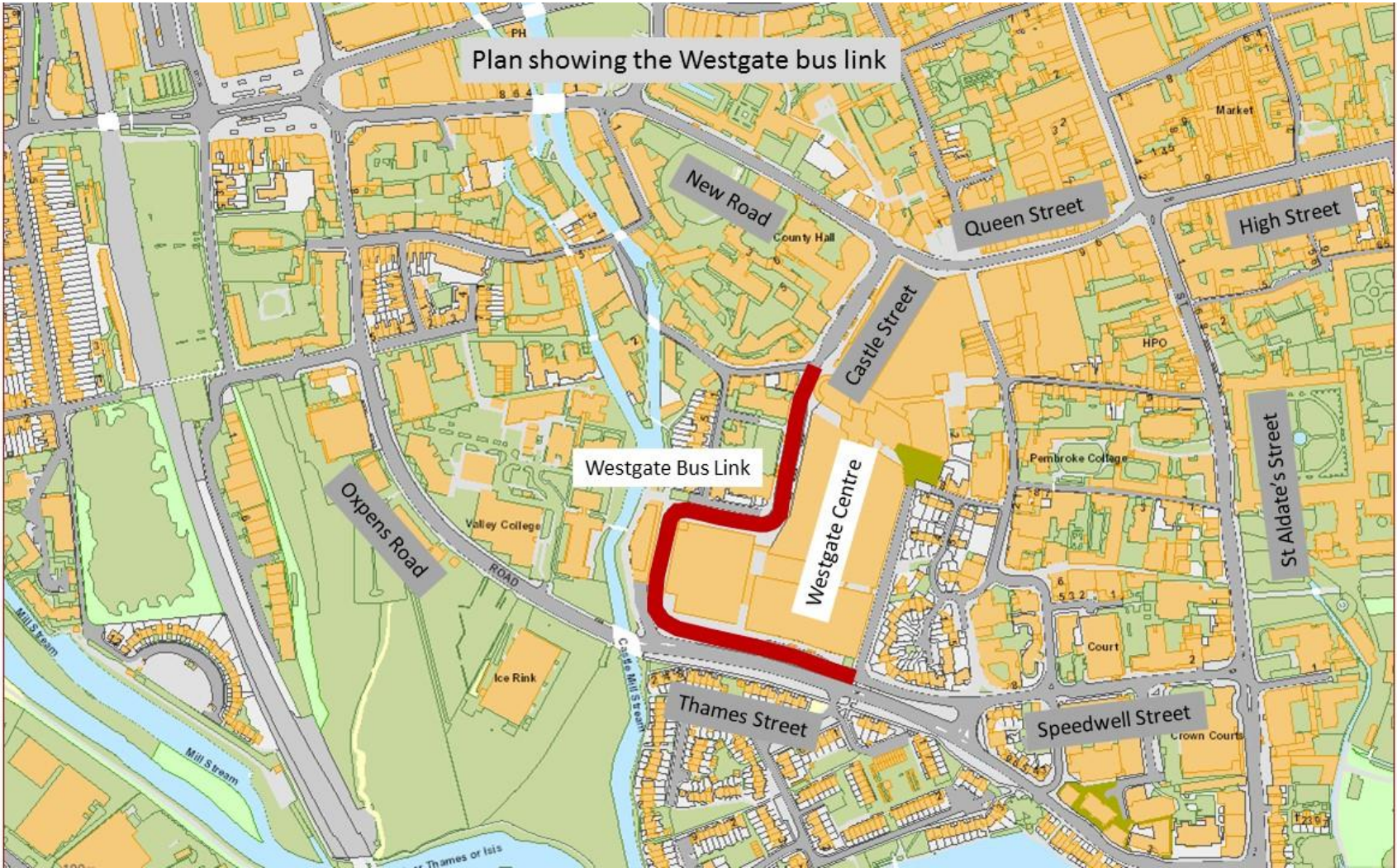
27. Buses, taxis and PHVs all play an important role in ensuring people with mobility and sensory impairments have access to the city centre especially if they do not have access to a car. As set out in this report, even though taxis cannot currently use the bus link there are many opportunities for their passengers to be dropped off and picked up in the close vicinity of the Westgate centre. For those who rely on taxis for travel to and across the city centre, particularly in a westbound direction, there would be some journey time savings if taxis and PHVs were able to use the bus link. However, the addition of taxis and PHVs may have a negative impact on the efficient operation of buses in and through the city centre. Buses also cater for people with mobility and sensory impairments.
28. Increasing traffic on the bus link could increase pollution which would have a negative effect on people with respiratory problems. Additionally, the extra traffic would make crossing the bus link and connecting roads more difficult for people with sensory and mobility impairments.

### **RECOMMENDATION**

29. **The Cabinet Member for Environment is RECOMMENDED not to authorise an experimental TRO for allowing taxis and PHVs into the Westgate bus link.**

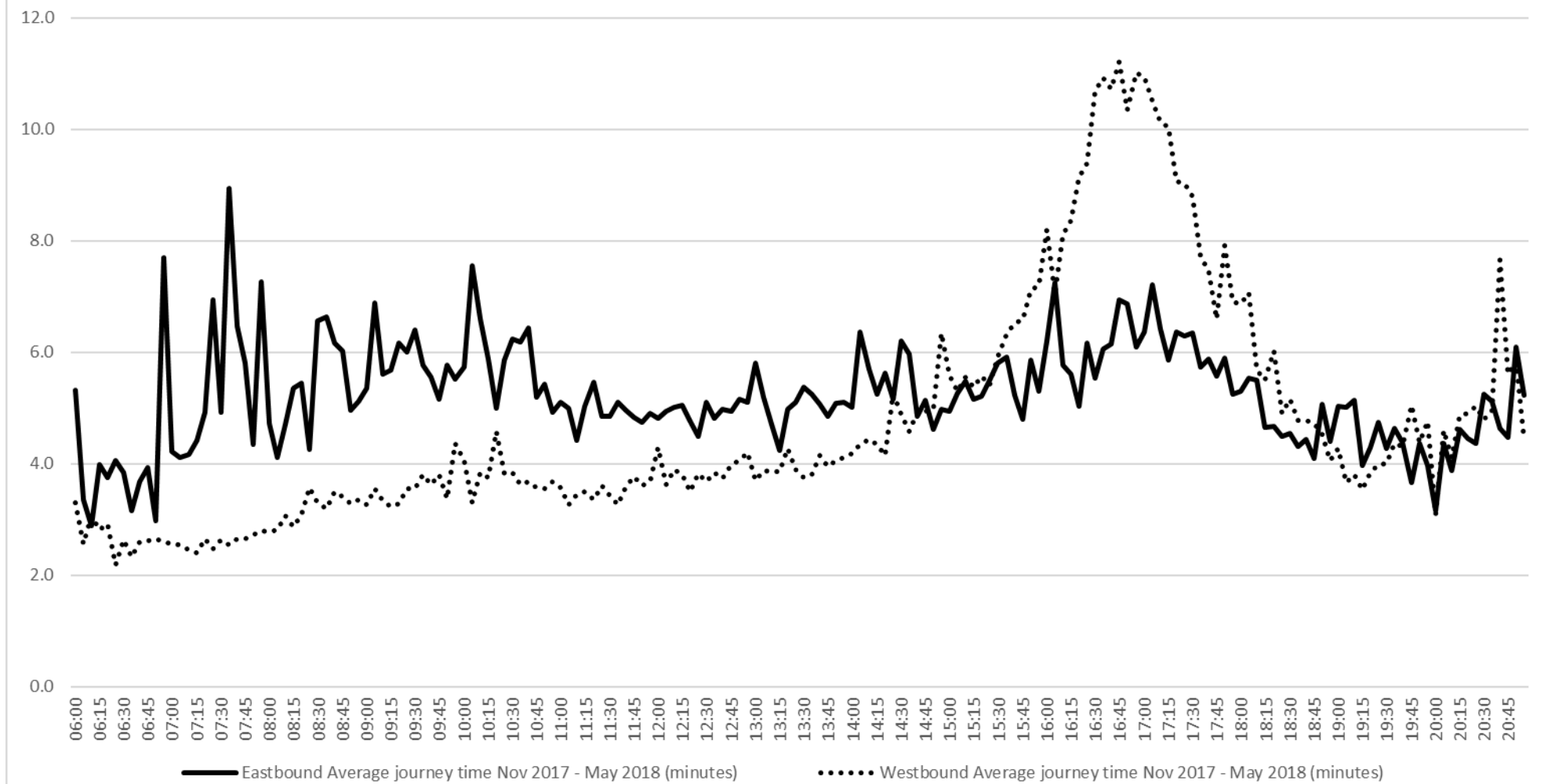
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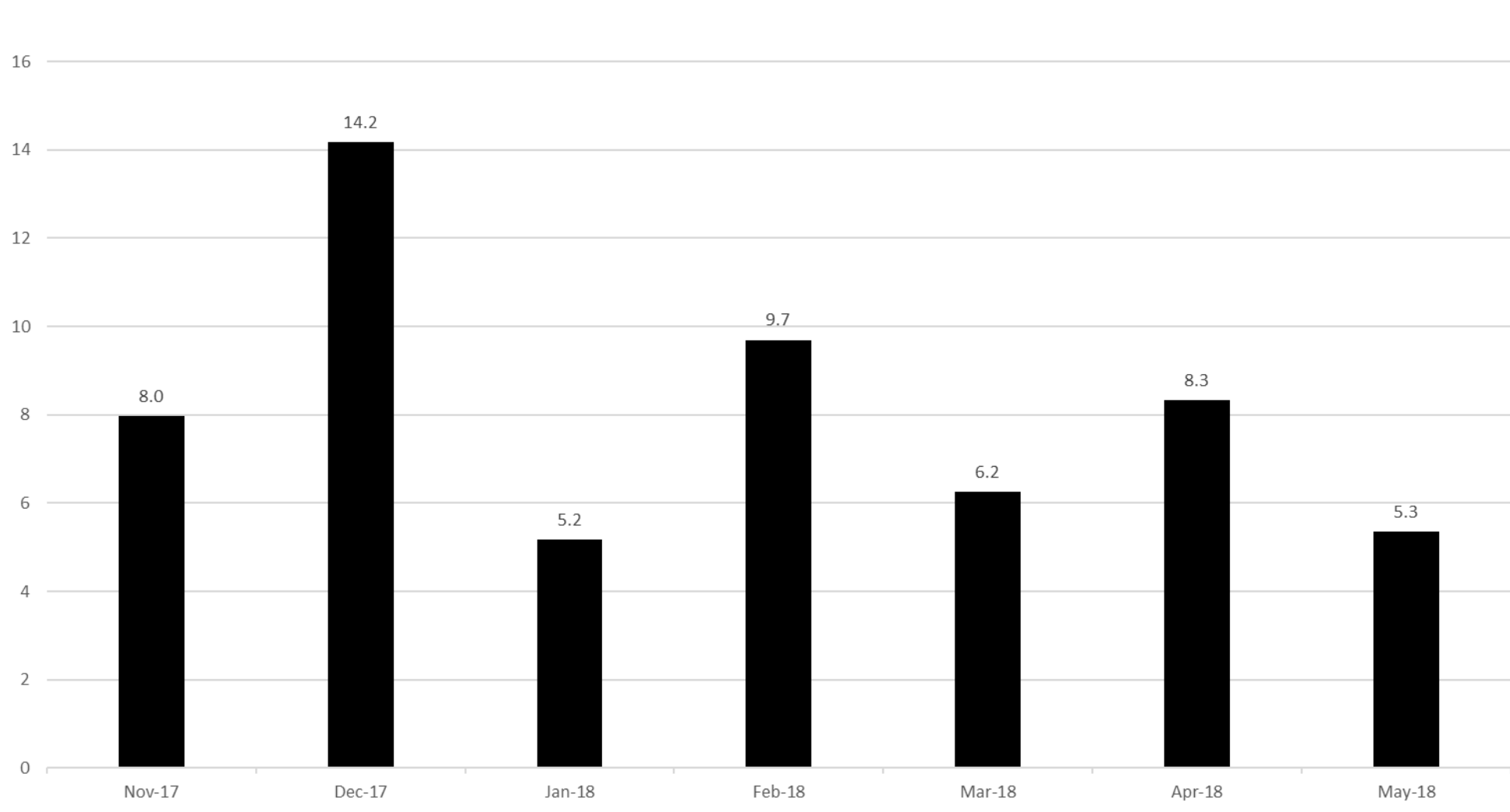
# CMDE4

Graph 1 - Oxpens Road (St Aldate's to Rail station) average journey times November '17 to May '18  
Westbound and Eastbound



CMDE4

Graph 2 - Oxpens Road (St Aldate's to Rail station) average monthly westbound journey times 1500 - 1800  
November '17 to May '18





CMDE4

## Summary of the main issues raised in the consultation and officer responses

*Extra time taken to get to taxi ranks and for journeys across the city centre (the latter leads to higher fares for passengers)*

As set out earlier, significant delays on Oxpens were experienced in the time soon after the Westgate centre was re-opened, especially in December. However, this was primarily in the evening peak and in a westbound direction. Furthermore, at the time of writing these delays are now much reduced as shown by the data presented in Annex 2.

*Lack of pick up and drop off points in the vicinity of the Westgate Centre*

There is a new taxi rank in Old Greyfriars Street immediately next to the Westgate and it is possible for PHVs to drop off and pick up in Old Greyfriars Street as long as it is not in the taxi rank. PHVs can already access this street. In addition, taxis and PHVs can drop off and pick up in the southern end of Paradise Square (immediately next to the Westgate Centre) and in the Westgate car park free of charge.

The responses from COLTA and Royal Cars state that if access to the bus link was allowed they would not need to use it for drop off and pick up.

*The experiment will negatively affect bus journey times, air quality, noise; a clear monitoring framework is needed before any experiment starts*

If an experiment is agreed, comprehensive monitoring would be put in place, the results of which would be used to determine whether the experiment is considered to be a success. This would include traffic counts, journey times, safety information, air quality, noise, incidents of taxis and PHVs blocking buses etc.

*How will the council prevent taxis and PHVs from dropping off and picking up passengers on the bus link?*

Whilst COLTA and Royal Cars state that the use of the bus link would be as a through route and not for picking up and dropping off passengers, there is no legal mechanism to prevent this from happening. Even on a red route (the most restrictive option available), taxis can pick up and drop off passengers.

Assurances have been given by those representing some of the taxi and PHV drivers that the bus link will only be used as a through route. However, it is highly unlikely this will mean that no taxis or PHVs will stop on the route. This could have a negative effect on noise, the efficiency of bus operation and the safety of other road users and would be a key area for monitoring if the experiment were to proceed.

*Taxis and PHVs travelling westbound would add to congestion/delay in Park End Street*

Taxis and PHVs travelling westbound in Park End Street would add to traffic levels in Park End Street, which at peak times will increase delays to buses. This is in addition to the concern that taxis and PHVs in the bus link itself will negatively affect the efficiency of operation of the bus link.

*How can the nature of the bus link be changed so soon after it was agreed as part of the Westgate planning permission?*

The proposal for the bus link only to be used by buses and bicycles was agreed by the city and county councils and WOA prior to and in the process of determining planning permission for the Westgate development. The nature of the regulatory system that governs how public highway is used is different from the planning system. At any time, changes can be made by the county council as Highway Authority to how highway operates subject to the change being adequately justified and having followed the necessary procedures being correctly followed, even if this is contrary to a planning permission or planning condition.

*Has enough journey time data been collected to properly understand the delays on Oxpens Road?*

The city council queries whether there is sufficient journey time data to justify making even an experimental change to the TRO. County officers consider that it would be reasonable to at least wait until more data is collected in November and December 2018 before making a decision as to whether to go ahead with an experiment.

*Allowing taxis and PHVs into the bus link will have an unacceptable negative impact on air quality.*

Residents, WOA, Oxford Bus Company and the city council all raise the issue of the possible negative impact of the experiment on air quality. It is suggested that extent of the negative impact could be enough to make WOA in breach of condition 16 of the reserved matters planning permission for the redevelopment.

Whilst county officers believe that the addition of taxis and PHVs is unlikely to result in the annual average exceeding the legal limit for NO<sub>2</sub> in the bus link of 40 µg/m<sup>3</sup>, it almost certainly will worsen air quality to some extent. An experiment would give an opportunity to test the extent of this worsening.