



## Taxis in Bus Lanes

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## Taxis in Bus Lanes

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## Executive Summary

Belfast City Council are seeking a benchmarking exercise to understand whether other similar authorities permit 'taxis' to use bus lanes. The authority wishes to:

- Identify whether authorities permit taxis to use bus lanes;
- Understand the rationale behind the decision-making process of that authority; and
- Identify whether there have been any impacts on cyclists in areas that permit taxis in bus lanes.

The UK Core Cities were used as a benchmark for Belfast. All eight of the benchmarked authorities allowed Hackney Carriages into the bus lanes (public hire) but only four permitted Private Hire Vehicles access. The main reason PHVs were not permitted was due to the significant number licensed in an authority – this was felt hindered the effectiveness of bus lanes.

The benchmarked authorities had not assessed the impact of the decision on cyclists but anecdotally felt that they had not been impacted negatively.

None of the benchmarked authorities had measured the air quality impact from taxis using bus lanes – but Nottingham City Council felt that this was a valid reason for not allowing PHVs to use bus lanes.

# 1. Introduction

## 1.1 Study Objectives

Belfast City Council are seeking a benchmarking exercise to understand whether other similar authorities permit 'taxis' to use bus lanes. The authority wishes to:

- Identify whether authorities permit taxis to use bus lanes;
- Understand the rationale behind the decision-making process of that authority; and
- Identify whether there have been any impacts on cyclists in areas that permit taxis in bus lanes.

## 1.2 Background

In 2018, The Department for Infrastructure (DfI) proposed changes to several bus lanes in Belfast as part of the Belfast Rapid Transit proposals. The proposal was for two orders, which would revoke and replace existing bus lanes and introduce new lengths of bus lanes in the city centre, operating between 7.00am and 7.00pm, Monday to Saturday inclusive. Under the proposals, only buses, cycles, motorcycles, permitted taxis and certain specified vehicles would be permitted to use the specified bus lanes during those hours of operation. This order came into effect on 25<sup>th</sup> June 2018. Permitted taxis are stated as Class B and Class D.

Prior to this decision there had been a 12-week trial in which all taxis were able to use the bus lanes in East and West Belfast and in the City Centre. The trial commenced in February 2017.

There were mixed views as to the impact of the trial. At a meeting of the City Growth and Regeneration Committee, held on 10<sup>th</sup> January 2018, the Planning and Transport Officer stated that the authority had considered the trial to be a success and had made noticeable improvement to traffic on those routes. <sup>1</sup>

Belfast City Council were asked to submit a formal response to the proposed changes. Having considered the proposals, and the Notice of Motion referred to the Committee by the Council, at its meeting on 3rd January, under Standing Order 13(f) the response was set out at the committee meeting and stated that:

- The Belfast Rapid Transport (BRT) lanes should not operate from 7:00 a.m. to 7:00 p.m. from Monday to Saturday;
- Operation hours of 7:00 a.m. to 10:00 a.m. and 3:00 p.m. to 6.30 p.m. from Monday to Friday is sufficient for the operation of the BRT lane without general traffic;
- Ordinary drivers and businesses in the area will suffer badly, funerals processions will be affected, and taxi drivers will find it increasingly difficult to earn a decent wage;
- All taxis should be allowed into all BRT routes and all bus lanes in Belfast on a permanent basis; and
- The recent twelve-week trial allowing all taxis to use the lanes in East and West Belfast and in the City Centre was a success and made a noticeable improvement to traffic on these routes and should now be introduced across Belfast in all lanes permanently.

Sutrans, Bikefast and We are Cycling also responded to the proposed changes. In a joint response they considered that increasing the number of vehicles currently using bus lanes would have a detrimental impact on bus lanes. They also considered that:

- Flooding the bus lanes with taxis will jeopardise the BRT system;
- Allowing all private hire vehicles into bus lanes completely contradicts the Belfast City Council Air Quality Action Plan and jeopardises its success;

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<sup>1</sup> <https://minutes3.belfastcity.gov.uk/mgAi.aspx?ID=41912>

- The trial created unnecessary conflict between taxis and cyclists;

The three organisations also called in to question the credibility of the trial.

Following the trial, the Department for Infrastructure returned to the pre-trial arrangements and original order with only Class B and Class D taxis permitted to use the bus lanes.

### 1.3 Taxis in Belfast

There are four classes of taxi in Northern Ireland. Table 1 below details how each class of taxi can be used:

|         | Hailed   | Rank   | Prebook                        | Able to use bus lanes |
|---------|--|--|--------------------------------|-----------------------|
| Class A | <ul style="list-style-type: none"> <li>- Outside Belfast zone</li> <li>- Within Belfast zone midnight – 6am Friday and Saturday night</li> </ul> | <ul style="list-style-type: none"> <li>- Outside Belfast zone</li> <li>- Within Belfast zone midnight – 6am Friday and Saturday night</li> </ul> | At all times                   | x                     |
| Class B | At all times   | At all times   | At all times                   | ✓                     |
| Class C | n/a  | n/a  | At all times                   | x                     |
| Class D | n/a  | n/a  | For executive or tour services | ✓                     |

Table 1: Taxi classifications

### 1.4 Taxis in England and Wales

Within England and Wales, there are two classes of taxi – Hackney Carriage (HC) and Private Hire Vehicles (PHV). HCs are able to ply for hire at ranks, be flagged down in the street and also be able to accept pre-bookings. PHVs can only accept hires by pre-booking.

Local Authorities act as the licensing authority for both HCs and PHVs. They set their own vehicle and driver standards, tariffs (HCs only) and have the discretion to numerically limit the number of HCs in an authority. Where an authority numerically restricts the number of HCs there is often a much higher number of PHVs. In most authority's HCs are required to be wheelchair accessible but some authorities operate a mixed fleet. Typically, most PHVs are saloon vehicles.

### 1.5 Current position in Belfast

The use of bus lanes in Belfast is determined by the Department for Infrastructure. Bus lanes are operational across certain hours of the day and permitted taxis can use them. Currently, permitted taxis are:

- Class B taxis displaying white/yellow roof signage
- Class D taxis displaying internal signage.



## 2. Taxi Licensing and Bus Lane Enforcement

Taxi Licensing and Bus Lane Enforcement in England is dealt with by different local authority departments.

The introduction of statutory instruments in November 2005 under s144 Transport Act 2000 allowed for the enforcement of bus lanes through camera enforcement technology by approved local authorities. Many local authorities used these powers and bus lane enforcement became common place across UK cities. Local authorities had discretion in the vehicles that they permitted to use the bus lanes. Table 1 details the English core cities that permit hackney carriages and PHVs in bus lanes.

Taxi Licensing policies are set locally by the licensing department of the local authority. Local authorities, under the Transport Act 1985 have discretion in their approach to taxi licensing policy. Some authorities allow market forces to dictate the number of hackney carriages licensed – a derestricted authority. Other local authorities set a numerical limit for hackney carriages and will not licence hackneys in excess of this cap – a restricted authority. This has a direct impact on the number of hackney carriages and PHVs operating in an authority. Table 1 details the numbers of vehicles licensed in the Core Cities.

| Core City  | Taxis permitted in bus lanes | PHVs permitted in bus lanes | Hackney vehicles/Class | PHVs               | Total Fleet |
|------------|------------------------------|-----------------------------|------------------------|--------------------|-------------|
| Belfast    | ✓                            | x                           | 499 <sup>2</sup>       | 8,035 <sup>3</sup> | 8,534       |
| Birmingham | ✓                            | x                           | 1,105                  | 4,086              | 5,191       |
| Leeds      | ✓                            | x                           | 530                    | 4,491              | 5,021       |
| Sheffield  | ✓                            | ✓                           | 794                    | 1,789              | 2,583       |
| Nottingham | ✓                            | Only in 2                   | 420                    | 1,264              | 1,684       |
| Newcastle  | ✓                            | ✓                           | 780                    | 2,491              | 3,271       |
| Liverpool  | ✓                            | ✓                           | 1,426                  | 1,979              | 3,405       |
| Manchester | ✓                            | x                           | 1,090                  | 3,390              | 4,480       |
| Bristol    | ✓                            | ✓                           | 539                    | 992                | 1,531       |

Table 2: Hackney and PHV numbers

<sup>2</sup> Class B as of December 2019

<sup>3</sup> Class A and C as of December 2019



## 3. Review of Best Practice – Core Cities

### 3.1 Leeds

Leeds City Council have enforced bus lanes since 2011. When the policy was first introduced hackney carriages were not permitted to use the bus lanes/gates in the city. Hackney carriages were permitted to use bus lanes post 2012 on the premise that it would permit drivers to provide a cheaper, quicker and more efficient service for their customers. It was also noted that due to hackneys being liveried in Leeds, enforcement can be readily undertaken without additional resources. All hackneys are stipulated on an exemptions list. Due to the low number of vehicles (530 hackneys) it was not felt that this change would have a detrimental impact on bus journey time reliability.

Currently, Leeds City Council restrict the access of bus lanes to buses, push bikes and Hackney Carriages. They **prohibit** PHVs to use bus lanes. There has been significant pressure from the PHV industry, with one petition collecting the signatures of more than one third of all PHV drivers in Leeds. The main reason that Leeds City Council do not permit PHVs is due to the fact that there are over 4,000 vehicles. This would cause congestion issues as well as impacting on bus journey time reliability. The 'white list' would also become very difficult to manage.

When the authority considered allowing hackney carriages into bus lanes some ward members were concerned about the impact on bus services and cyclists but as there was a relatively low number of hackneys this was less of an issue. The authority decided it needed to allow parity with bus services for taxis. It was not just about time savings but about increasing the visibility and status of hackney carriages as a form of public transport in the City. The authority also felt that allowing PHVs into bus lanes would be detrimental to bus times and cyclist safety.

### 3.2 Sheffield

Sheffield City Council allows both PHVs and hackney carriages to drive in bus lanes. Not all bus lanes in Sheffield are enforced. Some do not have cameras and therefore no fines will be implemented. When bus lanes were first introduced in Sheffield, hackneys were able to use all of them but PHVs were restricted to only certain bus lanes. Bus priority was then introduced, and hackneys were required to have transponders fitted. The PHV trade in Sheffield put significant pressure on the authority to give them access to all bus lanes/gates in the city. This pressure was successful.

Sheffield City Council have all Sheffield licenced hackney carriages and private hire vehicles on an exemption 'white list'. This list is updated regularly. Councillors wanted to limit use of the bus lanes to vehicles licensed by Sheffield City Council, but the legislation does not permit this. Hackneys and PHVs licensed by other authorities are dealt with by means of the appeal process. They are then included on the white list for the duration of the vehicle licence.

There have been no complaints made by the bus companies, so the authority feels that allowing all taxis to use bus lanes has had no impact on bus journey time, reliability or congestion.

Initially there were issues raised by cyclists over safety issues but over time cyclists have got used to the idea of HCs and PHVs in bus lanes and therefore there has been no negative impact.

There was no evidence on whether there had been any impact on air quality.

Sheffield CC are now seeking to implement, wherever possible, full segregation of cycles from other road users. Research conducted locally and from national sources, recommends that a cyclist sharing a traffic lane with buses is not seen as being desirable and is something that the authority is seeking to change. Sheffield is a hilly city and all major arterial routes into the city are narrow and constrained by natural features, such as rivers and hillsides, or the built environment such as railways, canals and Victorian urban form. When many of the bus lanes were implemented in the late 90's, they were squeezed in (in light of the aforementioned constraints). Some of the city's bus lanes only have a clear width of 2.8m, far below the 4.5m now recommended. This means that cyclists are generally more worried about the dangers presented by buses than by taxis and that buses cannot overtake a cyclist for long lengths. This can become particularly daunting for the cyclist if going up a hill, in rush hour.

### 3.3 Bristol

Bristol City Council allow taxis and private hire vehicles to use all bus lanes in Bristol. This has been permitted since the bus lanes were introduced in Bristol. The aim of the bus lanes and gates is to reduce congestion in the city and improve journey time reliability. The Council do not feel taxis and PHVs impact on the effectiveness of the bus lanes. All Bristol and neighbouring authorities' vehicle registration plates are on a 'white list'. The CCTV cameras are forward facing so any vehicle not on the list receives a PCN. This can often happen with 'out of town vehicles' that haven't been updated on the white list. Should a PCN be issued to a hackney or phv it is dealt with through the appeals process. PCNs are cancelled once the driver has proved they are a licensed hackney or private hire vehicle. This policy has always been in place as far as the officer could remember. The impact on cyclists has been minimal and they have had no issue with cyclists over this. All bus lanes go through a rigorous internal quality assurance process, as well as a road safety audit. There have been a small number of occasions where cyclists have been using the bus lanes and a car crossing the traffic to turn into a side road has hit the cyclist – however this cannot be attributed to anything other than driver error.

The Council are not aware of any impacts on air quality.

There have been issues raised from the hackney trade who don't want the PHV trade to use the bus lanes.

### 3.4 Nottingham

Nottingham City Council have enforced bus lanes since approximately 2007. Only Hackney Carriages can access the bus lanes, however at night PHVs are allowed access to two city centre bus gates. The authority will permit any wheelchair accessible hackney to use bus lanes regardless of where they are licensed. Nottingham City Council have a DfT approved sign that stipulates 'Wheelchair Accessible taxis' on the bus lane sign. They enforce using CCTV and have a list of all permitted vehicles from neighbouring authorities. There is a move to reduce the amount of traffic in the city centre and this is the main reason that PHVs are not permitted to use bus lanes.

The rationale behind allowing PHVs in to two bus gates was to provide easy access and exit from the main night time economy areas of the city. The authority also wanted to ensure that wheelchair users could access the city centre.

Air quality is a concern for Nottingham City Council and therefore it is unlikely that the authority will permit PHVs to use more bus lanes in the future.

The authority also felt that allowing a significant number of saloon cars into the bus lanes would make it difficult to differentiate between PHVs and private cars.

The use of bus lanes by hackney carriages has not had a massive impact on cyclists. Local cycling groups expressed originally that they would prefer HCs to not have access but there has been no issue with collisions.

### 3.5 Liverpool

Liverpool City Council (LCC) permit both Hackney Carriages and PHV's to use bus lanes and have done this since bus lanes were first introduced. The authority undertook a review of bus lanes in 2014 and as a result temporarily suspended all bus lanes across the city. This was undertaken to assess what the impact was on congestion and journey time reliability. The review identified that not all bus lanes were providing any benefits to the travelling public in terms of congestions and journey times. Following this review all but 4 of the cities bus lanes were permanently closed. Given the similarity in numbers of HCs and PHVs it was decided that both could use bus lanes.

LCC are currently progressing the introduction of a "bus-gate" to ease congestion issues for bus services along a key corridor and to aid bus services that are rerouted as part of current roadworks. This bus-gate will be a "point" restriction only and it is LCCs intention to permit pedal cycles and Hackney Carriages through this restriction, along with buses. They do not intend to permit PHV's due to the high volume which use the route daily and as a result of concerns around the enforcement of the restriction.

No air quality studies have been carried out in Liverpool specifically around bus lanes and the impact of them being used by PHV's and taxis. Historically, taxis and PHVs have been allowed into all bus lanes purely because they were an important part of the public transport offer.

However due to substantial growth in some areas of the PHV sector, there is concern over how this is now contributing towards congestion within bus lanes themselves. Future decisions around a policy change will be led by traffic volume and/or road traffic collision data, rather than air quality at the present time.

### **3.6 Manchester**

Manchester City Council allows Hackneys to use bus lanes but not PHV's during operational hours as signed. Bus lanes were introduced to reduce congestion and make bus travel more attractive. They enforce using CCTV and have a list of all hackney carriages. Hackneys have always been allowed into bus lanes, the theory being that hackney carriages can pick up on street when hailed by a customer. If a hackney carriage was travelling in the general traffic lane adjacent to the bus lane and was hailed, there could be safety concerns around a taxi entering a bus lane to make the pickup at short notice. In addition, Hackney Carriages are licenced by the local authorities which means there are a limited number of licences, hence the impact is minimal due to limited numbers of vehicles.

The decision to not permit PHVs is based on the significant number of vehicles licensed. Prior to the 2016 TSRGD introduction, the only permitted class of users were buses, taxis and cyclists. Prior to 2016 Manchester City Council defended any change of vehicles because they were following national standards. MCC did some work to make sure all 10 Greater Manchester Authorities have standardised vehicles permitted and bus lane operations times (peak times 07:00 – 10:00 and 16:00 to 19:00, all day 7:00 to 19:00 and 24/7). There are circa. 200 bus lanes in Greater Manchester and post 2016 TSRGD publication, the 10 authority's setup a working group to review the case of different types of vehicles to be permitted into bus lanes. The only one that received some form of merit (over permitting taxis as existing) was motorcycles. Private hire vehicles were considered as not suitable, as their numbers cannot be controlled via licencing and as such could have a detrimental impact upon bus operations, ultimately undermining the purpose of the bus lane in the first place.

There was also concern as to PHVs being indistinguishable from ordinary saloon cars.

MCC are not aware of any impact on cyclists through this policy. With regard to air quality, given the number of hackneys are limited, the impact on air quality is thought to be minimal

### **3.7 Birmingham**

Birmingham City Council only permit Hackney Carriages to use their bus lanes. Private Hire vehicles are not allowed to use any bus lanes across the City.

## 4. Summary of research

From undertaking both the desktop research and through conversations with Local Authority Officers all the researched authorities allow Hackney Carriage vehicles to use bus lanes. However, several authorities do not allow PHVs to use bus lanes. This is for a variety of reasons that are discussed later in this Chapter.

Figure 1 shows a correlation between high numbers of PHVs and prohibiting their access to bus lanes. Cities with a smaller difference in ratio are more likely to allow PHV's to use bus lanes – Figure 2.

Figure 1: Authorities that do not permit PHVs to access bus lanes

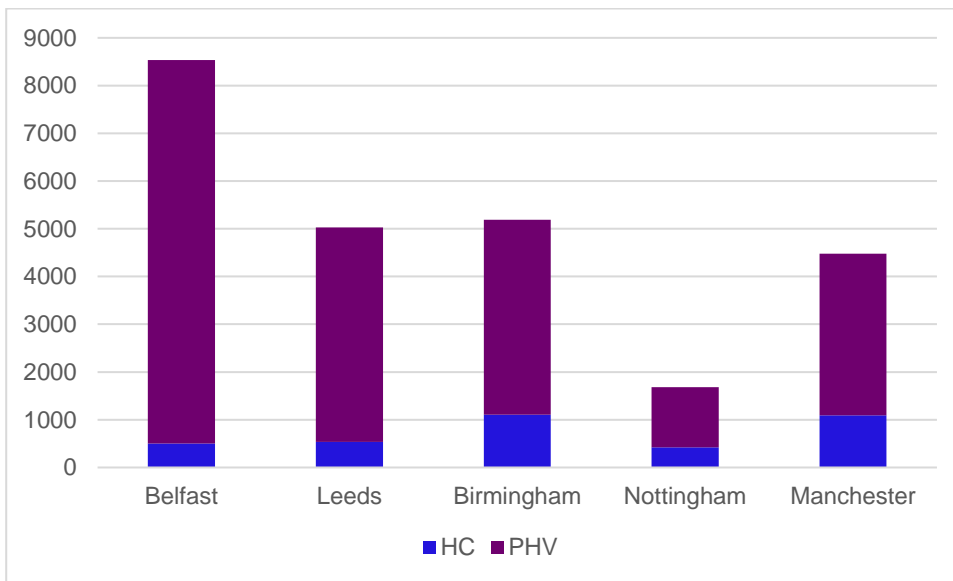
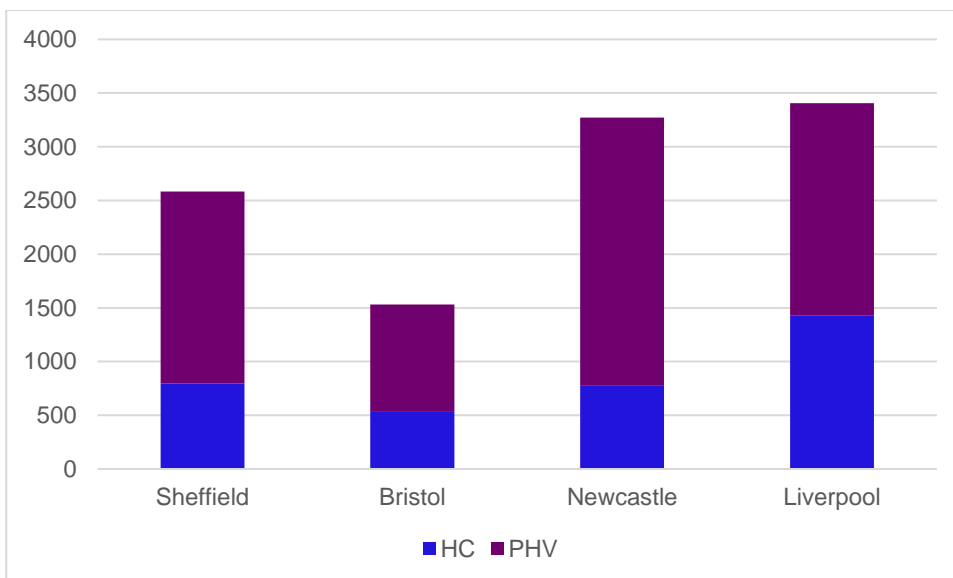


Figure 2 Authorities that do permit PHV to use bus lanes



### 4.1.1 Rationale behind the decisions.

Having undertaken this review and by speaking to Local Authority Officers there are several key reasons as to why local authorities determine their policy in relation to permitting both HCs and PHVs in bus lanes. These are summarised as follows:

**Reason 1 for prohibiting PHVs in bus lanes → Congestion**

Many authorities that do not allow PHVs into bus lanes argue that the bus lanes are designed so buses can run efficiently and reliably. If local authorities allow PHVs into bus lanes it may increase congestion, making it harder for buses to keep to their timetable.

**Reason 2 for prohibiting PHVs in bus lanes → Enforcement difficulties**

Firstly, it is difficult to distinguish between a PHV and an ordinary car. This will become a problem when distributing PCNs for offending vehicles. It is therefore easiest if neither are allowed in bus lanes. Secondly, if PHVs are allowed in, the public are more likely to copy them, leading to a larger number of contraventions and therefore PCNs being issued. It is also impossible to differentiate between a PHV operating as a PHV or when it is undertaking a domestic journey.

**Reason 3 for prohibiting PHVs in bus lanes → Financial implications**

Allowing PHVs in bus lanes would require new signage and road markings. Other costs may come from higher levels of enforcement required and letters sent out to inform PHV drivers of the new policy, and through a predicted higher level of PCNs being issued. There is a financial cost associated with dealing with PCNs on appeal.

**Reason 4 for prohibiting PHVs in bus lanes → Air Quality**

Allowing PHVs in bus lanes was also considered to have negative impacts on air quality.

**Reason 1 for allowing PHVs in bus lanes → Historical reasons**

Those authorities that permitted PHVs in bus lanes had done since bus lanes were introduced and in some instances, it was considered that there was no specific reason for allowing this.

**Reason 1 for allowing PHVs in bus lanes → Reduced fares.**

Allowing PHVs in bus lanes would significantly reduce fares for their customers whose meters run based on distance and time. In particular, disabled people who require door to door should not have to pay extra to travel the same journey if their journey requires a diversionary route due to a bus gate.

**Reason 2 for allowing PHVs in bus lanes → Most efficient use of road space.**

Bus lanes often remain empty for significant amounts of time during the day, and of course, when the buses are not operating. Allowing PHVs to use bus lanes would be using the road space in the most efficient way possible.