

**CITY OF EDINBURGH COUNCIL**

**Item No 3**

**Transport and Environment Committee**

**15 August 2024**

**DEPUTATION REQUESTS**

<b>Subject</b>	<b>Deputation</b>
<b>3.1 In relation to item 6.1 – Business Bulletin (Meadows to Union Canal Update)</b>	Spokes Planning Group (written submission)
<b>3.2 In relation to item 7.3 – Strategic Review of Parking Monitoring Update</b>	The Lockharton Parking Group (verbal submission)
<b>3.3 In relation to item 7.5 – Local Traffic Improvement - Delivery Programme</b>	Blinkbonny Neighbourhood Watch (verbal submission)
<b>3.4 In relation to item 7.6 – Trial of 7-7-7 Bus Lanes</b>	Uber (verbal submission)  Edinburgh Bus Users Group (written and verbal submissions)  Capital Cars and Intercity Management (written and verbal submissions)  GMB Union (written and verbal submissions)  Scottish Private Hire Association (written and verbal submissions)  Spokes Planning Group (written submission)
<b>3.5 In relation to item 9.2 – Motion by Councillor Lang - Delivering the committee's decision on Cammo Road</b>	Lennymuir Residents Association (verbal submission)

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## **DEPUTATION FROM SPOKES PLANNING GROUP IN RELATION TO ITEMS 6.1 AND 7.6**

### **FOR TRANSPORT AND ENVIRONMENT COMMITTEE OF 15 AUGUST 2024**

Please find attached a written deputation for two items at the Transport and Environment Committee this week on behalf of Spokes.

#### **6.1 - *Business Bulletin* (Meadows to Canal)**

Spokes have always strongly supported the Meadows to Canal project for the significant impact it will make towards a truly connected cycle network in Edinburgh. However, the project has experienced lengthy delays and repeated consultations since 2014.

Unfortunately, the proposal to conduct a further consultation, appears to be repeating history. The following is an extract from the 2019 consultation on Meadows to Canal:

*“We would not normally consult on a project for a second time before the Traffic Regulation Order (TRO) process; however, due to the delay in the scheme progressing, we feel it is important to re-engage.”*

Five years later, the same action is proposed. Given the extensive history of consultation as well as the limited size of the project, we feel it should progress directly to statutory orders. Those impacted will still be able to raise issues here, but further delay is avoided.

#### **7.6 Trial of 7-7-7 Bus Lanes**

Spokes strongly opposes the use of bus lanes by private hire vehicles. Introducing more vehicles into bus lanes, making them less safe for cyclists and busier for buses, is the exact opposite of the intended actions of this project, as well as various council policies.

Private hire vehicles are not allowed to use bus lanes in London, and private hire firms have lost legal action against this (Case C-518/13 - European Court of Justice). Edinburgh should continue to follow suit.

The 7-7-7 project has already progressed vastly slower than comparable measures in other cities. Cities in the UK and Europe have made these changes in a matter of months, not five years. The priority should now be to implement it as soon as possible, rather than looking to allow further vehicles into bus lanes.

Many thanks,

Alex Robb

Spokes Planning Group

## Edinburgh Bus Users Group deputation 15 August

### Report 'Trial of 7-7-7 Bus Lanes'

Edinburgh Bus Users Group would, in principle, be delighted by the report on 7-7-7 bus lanes. However, the good work is spoiled by recommendation 1.1.4 'Approve the inclusion of trialling private hire car access to bus lanes along the corridor in the experiment'.

The whole point of bus lanes is to provide priority through congestion for the most efficient ways of moving people about. As more vehicle types are allowed to use them, the less effective they are.

#### Background

Over recent years, the length and hours of bus lanes have been cut; in 2015 to off-peak, 5 days/week, and motorcycles were allowed to use them (partly to protect them from other traffic). Groups objecting to the operating hours cut were told that this would be a red line.

During the Covid pandemic, they were cut again (temporarily, we were told) by Spaces for People; on top of the earlier removal of over 3 km of bus lanes since 2015.

This year the Scottish Government cut the £500 million bus priority fund. Nevertheless, for the first time in years, Edinburgh has a plan to reinstate bus lane hours on one route. But this report proposes to undermine it by allowing private hire cars (PHCs) into it.

None of the parties elected to the Council in 2022 suggested allowing extra vehicles into bus lanes in their manifestos. In contrast, they said they would, for example:

Labour: 'Protect and improve Edinburgh's bus network'.

Liberal Democrats: 'Fight for a bigger and better bus network'.

Conservatives: 'Protect the commercial success of Lothian Buses'.

SNP: 'Work towards a reduction in the average journey time...with increased bus priority'.

Green: 'Extend bus lanes and expand bus lane hours...increase bus lane enforcement'.

On 30 June 2022 an adjusted motion by Cllr Booth was approved unanimously by Full Council <https://democracy.edinburgh.gov.uk/documents/s48147/Item%204.1%20-%20Minute%20of%2030%20June%202022.pdf>. It noted this Committee agreed in 2019 to consult on 7-7-7 bus lanes; scheduled a report for October 2022 with a clear timeline for universal 7/7/7 operation; and a workshop of Committee members, operators and EBUG.

If that workshop had taken place, EBUG would have made clear our opposition to allowing any additional vehicle types into bus lanes.

In December 2022 Transport and Environment Committee (TEC) approved a motion on the Business Bulletin relating to bus lanes; neither referred to allowing extra vehicles into them.

<https://democracy.edinburgh.gov.uk/documents/s53688/4.1%20Minute%20of%2008.12.22.pdf>

<https://democracy.edinburgh.gov.uk/documents/s52659/Item%206.1%20-%20Business%20Bulletin.pdf>

On 1 February 2024, TEC approved the Public Transport Action Plan, including for buses:  
PG3 Extension of bus lane operating hours

PG4 Deliver bus priority through the UTC/UTMC and AVL at traffic signals and investigate further technology options to help deliver reductions in peak bus journey times

PG6 Deliver additional bus priority interventions through the Bus Partnership Fund (BPF) and other funding sources, helping to support the aim of a 25% reduction in peak bus journey times on key corridors and hotspot locations

The actions for PHCs are:

PT9 Strengthen partnerships with the taxi and private hire car trade and car club partners as key providers of the city's shared mobility offering to support the shift to zero emission vehicles and the introduction of new technology...

Against this background, it is scarcely credible that a report has been brought forward which proposes to ignore Council members' wishes.

### **A Restatement**

It is disappointing to have to restate again the arguments we and others previously put forward, such as <https://edinburghbususers.group/written-deputation-by-six-local-groups-to-the-councils-transport-and-environment-committee-8-december#more-8358>

Even more recently, Transport Focus: <https://www.transportfocus.org.uk/publication/your-bus-journey-scotland-end-of-year-results-2023/> "timeliness makes by far the largest contribution for both fare-payers and free pass holders. This theme covers satisfaction with waiting time, punctuality, the length of time the journey took, the bus stop"

This reinforces KPMG's comprehensive study (Trends in Scottish bus patronage, 2017) showing journey time is the major factor in declining bus use after car ownership and online services.

As reported here <https://edinburghbususers.group/begg-edinburgh-must-future-proof-its-buses> Professor David Begg pointed out that congestion increased Edinburgh bus journey times by up to 20% in the last 10 years. His report for Greener Journeys (The impact of congestion on bus users; June 2016) found bus journey times had risen almost 1%/year in the UK's most congested conurbations; this was largely responsible for declining bus use. "A 10% decrease in speeds reduces patronage by at least 10%".

However, item 7.6 at Thursday's Committee includes no recognition of bus lanes' objectives and benefits. Indeed, it reads rather like it's tidying up various threads:

'3.5 Dialogue with the private hire car trade during the development of the Meadows to George Street project has resulted in access being permitted to private hire cars through the bus gate being implemented on Market Street...

3.6 Furthermore, the George Street and First New Town operational plan also proposes the testing of access for private hire cars'

**EBUG asks why, given past history, we should believe assurances on their future; especially when the report itself cites past actions as if they are precedents?**

Many other transport sectors have sought access to bus lanes. If the Council concedes this now, after previously giving way on 'red lines', how can we believe that's the end of it?

In some submissions to February's Committee on bus lanes, there appear to be two themes:

- That PHCs should have similar access as Hackney Cabs
- That the City Mobility and linked Plans discriminate against disabled people using PHCs

The first point overlooks the two different regimes that apply. PHCs and Taxis are subject to different regulations, e.g. vehicle type and on-street hires. The argument is therefore the same as any commercial business seeking access to road space to facilitate its activities.

Secondly, 'Taxi and PHC licensing guidance' <https://www.gov.scot/publications/taxi-private-hire-car-licensing-best-practice-licensing-authorities-taxi-private-hire-car-operators-3rd-edition/> concerns licensing, enforcement, accessibility, fares, vehicles, drivers, and complaints. Section 11 Local Transport Strategies says only: 'licensing authorities are asked to *consider* the role that taxis and private hire cars play in public transport and ensure that the licensing system in place is appropriate to local needs and circumstances, including those of disabled people. (*Our italics*)

It does **not** say that all forms of transport must be subject to the same requirements.

### **Disabled people also use buses.**

Especially where they compete with public transport, 'ridesharing apps' (requiring PHC licences) have been found to contribute to traffic congestion, reduce public transport use, have no substantial impact on vehicle ownership, and increase car dependency.

The party manifestos quoted above include commitments to protect Lothian Buses' success. It typically sends the Council a dividend of the order of £6 million per year. In December 2022, EBUG's deputation to Full Council was asked about the balance between the service and commercial functions of the bus network. It isn't a dichotomy.

- Lothian is able to provide a level of service because it is commercially successful
- If it were not commercially successful, its shareholder Councils would have to subsidise it or let it decline
- There would be no chance that, amongst the multitude of long-term financial pressures on local and national governments, bus services would be adequately funded.

Protected and enforced bus lanes increase patronage and reduce operating costs, which improves Lothian Buses profitability and the annual dividend.

Bus driver shortages increase the need for reliability. A bus stuck in traffic is a driver stuck in traffic. Every vehicle added to a schedule to maintain reliability could be used elsewhere.

The report does not recognise the issue of self-enforcement. It is sometimes claimed that PHCs are easily identifiable. We suggest that, to the average motorist, they are not; which may well lead to more drivers following PHCs into bus lanes.

It states 'Consistent restrictions within bus lanes in the trial route will help reduce the risk of confusion' (4.2.1) but proposes three locations with varied restrictions (3.5, 3.6, 4.2.1).

The report reintroduces PHCs to Princes Street and elsewhere (Appendix 1), which is surely utterly inconsistent with the Council's wider plans.

### **Conclusion**

- After years of stasis or worse on addressing "timeliness", the largest issue for bus passengers, a small step forward is being clawed back.
- This report is substantially at variance with the letter and spirit of motions previously approved by Councillors.
- Less than 7 months after the Committee approved a Public Transport Action Plan with three Action Points on bus lanes, the report proposes an action undermining them.

EBUG asks the Committee to delete recommendation 1.1.4, paragraph 4.2.6, and progress the rest of the report.

## Deputation to TEC re 7-7-7 Bus Lane Trial Item 7.6 15-08-24

Thank you for your time today, Committee and Convenor.

The purpose of my Deputation today is to reinforce the Reports conclusions and to add some background to the Reports conclusions in advancing a Trial use of the 7-7-7 Bus Lane on behalf of PHC Taxis in Edinburgh.

Firstly, we would wholeheartedly agree the Trial use of PHC Taxis in this Bus Lane to enable this Committee to once and for all dispel some of the rumours and opinions of what will or will not happen should PHC Taxi's be allowed into Bus Lanes.

This Trial will provide this Committee with the data required to make a longer-term decision on PHC Taxi use of Bus Lanes in our city, something which you are all aware I have campaigned for, for many years with many Convenors and Committee members.

But to add a little context to this process we actually provided a large piece of data to the Officers some 2 years or so ago on PHC Taxis and the numbers in use over a 2 week period at Xmas time. This data was then used in a modelling project which showed very little impact by allowing PHC Taxis to use Bus Gates and Bus Lanes.

I also know that when you look at the overall numbers of Licensed Hackney Taxi's and Licensed PHC Taxi's the numbers look large, however it is worth noting that entirety of both fleets of vehicles are never all out working on any given day, and from our own data taken over years of operating in this city, it shows that approximately 25% of the entire fleet is out on any given day across the whole 24hr period, which also means that they are very well spread over the city, and we are confident that this will result in a positive outcome for this Trial with no negative impact being felt by Bus Operators Timetables by allowing the PHC Taxi sector use of the Bus Lane in question.

Private Hire Taxi's form a major part of the Public Transport Network in this city, as do Licensed Taxi's, and indeed PHC Taxi's currently transport approx 60-70% of those people requiring the services of both sectors, we are by far the dominant section of the Sector, and our customers deserve the same rights of passage as our Licensed Taxi brothers.

I will let other Deputations give you more detail on the Disability factors at play in this discussion, suffice to say that we transport many thousands a week of customers with mobility issues and other physical impairments, indeed the PHC Taxi sector is a lifeline to many needing Transport around the City, and to further enhance that customer base the PHC Taxi Sector through Capital Cars has seen a massive increase in the work being serviced on behalf of the City Of Edinburgh Council Transport Team via School and Social Work Contracts recently tendered for.

In short, this Trial has been a long time coming and we urge the Committee to follow the lead of the Officers Report and ratify the option of PHC Taxi's using this Bus Lane on a



Trial basis, and finally have the data to enable a constructive long term decision on use being taken in the future.

Happy to answer any questions you may have.

**GMB****GMB SCOTLAND****GMB****U N I O N****SCOTLAND**

Deputation to the Edinburgh Transport and Environment Committee Regarding Agenda Item 7.6: Trial of 7-7-7 Bus Lanes

Support of the Report on Trial of 7-7-7 Bus Lanes:

Recommendation:

1.1.4 Approve the inclusion of trialling private hire car access to bus lanes along the corridor in the experiment.

The GMB Union requests that Private Hire Cars be granted access to all bus lanes and bus gates within the City of Edinburgh, as is the practice in other cities in Scotland.

In the view of GMB Union Scotland, many members of the public and some Edinburgh councillor's do not fully appreciate the importance of Licensed Private Hire Cars to the City of Edinburgh. Below are key points highlighting the significance of Private Hire Vehicles to the city:

1. **Flexibility and Convenience:** Private hire cars offer a flexible and convenient mode of transport for individuals needing to travel at specific times or to locations not easily accessible by public transport. They can be booked in advance, allowing for planned travel with a guaranteed vehicle.
2. **Accessibility:** For people living in rural or less accessible areas where public transport may be limited, private hire cars provide a vital link to other transport networks, essential services, and amenities.
3. **Supplement to Public Transport:** In urban areas, private hire cars complement public transport options such as buses and trains, providing a door-to-door service that can fill gaps in the transport network, especially for late-night travel or when other services are not running.
4. **Economic Impact:** The private hire industry contributes significantly to the economy, providing jobs and generating revenue. It also supports tourism by offering visitors a reliable means to travel around cities and attractions.
5. **Technological Integration:** With the advent of ride-hailing apps like Uber and Bolt, private hire cars have become even more integral, offering a seamless and user-friendly experience. These platforms provide real-time tracking, fare estimates, and cashless payment options, enhancing convenience.

**[www.gmbscotland.org](http://www.gmbscotland.org)**



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6. **Regulation and Safety:** Licensed private hire cars are subject to regulatory standards that ensure safety, insurance, and driver vetting. This provides passengers with a level of assurance regarding the quality and safety of the service.
7. **Crucial Role in Transport Ecosystem:** Overall, licensed private hire cars play a crucial role in the Edinburgh transport ecosystem by providing flexible, accessible, and complementary transport solutions to the public.
8. **Compliance with Legislation:** The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 came into effect in Scotland on June 28, 2022. It amends the Equality Act 2010 to impose duties on drivers, operators, and local licensing authorities to ensure that disabled people have specific rights and protections when using taxis and private hire vehicles. The Act aims to ensure that disabled people receive the assistance they need and are not charged extra.

GMB Union Scotland believes that the Edinburgh Transport & Environment Committee is not complying with this Act by not allowing Private Hire vehicles access to the City of Edinburgh bus lanes and bus gates.

**Concerns Regarding Accessibility:** The argument presented by the Transport & Environment Committee is that Private Hire lacks a sufficient number of wheelchair accessible vehicles (WAV) in its fleet, unlike the London Type Hackney Taxi, which is 100% wheelchair accessible. However, the Disabled Persons Transport Advisory Committee (DPTAC) annual report 2020 to 2022 states that certain disabilities prevent people from using London Type Hackney vehicles, as they can be difficult to use, particularly for those with artificial limbs or restricted mobility. DPTAC acknowledges that there is currently no universally-accessible WAV.

Therefore, a mixed fleet of Private Hire Vehicles is essential for disabled persons who cannot use London Type Hackney Taxis and rely on Private Hire Vehicles for door-to-door service. By not allowing Private Hire Vehicles access to bus lanes and bus gates in Edinburgh, disabled persons are being discriminated against.

**Request for Immediate Action:** GMB Union Scotland requests that the Edinburgh Transport and Environment Committee immediately allow Private Hire Vehicles access to bus lanes and bus gates throughout the City of Edinburgh, thereby eliminating discrimination against disabled persons who would benefit from Private Hire access to these areas.

GMB Union Scotland

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**Deputation on agenda item 7.6 (Trial of 7-7-7 Bus Lanes)**

**15th of August 2024 meeting of the Transport and Environment Committee**

Members of the Transport and Environment Committee,

The Edinburgh Branch of the Scottish Private Hire Association (SPHA) calls on the committee to include trial access for private hire cars as part of the proposed 7-7-7 bus lane trial.

Taxis and private hire cars are often recognised as an integral part of a city's mass transit system. Indeed, in responding to an SPHA petition, the Scottish Government recently said that it "recognises the important role that private hire and taxi drivers play within our local communities" and that the services provided are a "vital part of the transport system". On this point it has been argued that private hire cars are part of the solution, not part of the problem. Furthermore, both taxis and private hire cars are licenced by City of Edinburgh Council to perform licensable activities as set out in the Civic Government (Scotland) Act 1982. With the exception of the fact that Taxis are permitted to engage in 'there and then' hires, the licensable activities for both are broadly similar. Meanwhile, taxis have been permitted to have access to bus lanes, while private hire cars have not. We ask that this inequitable approach be changed so that both forms of transport have equal access to service the city.

As we all strive to adhere to the principles of the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, it is essential to recognise that equal access, as above, can help achieve greater compliance with that Act, and also help to avoid potential breaches of the legislation.

In looking to see if allowing private hire cars to have access to bus lanes would have negative or positive effects, we should look to comparable examples. The best comparison is probably Glasgow. Private hire cars in Glasgow have been permitted access to bus lanes for over 20 years and in all that time there have been no

attempts or campaigns to overturn or reverse that situation. There does not appear to be negative effects leading to questions being raised over whether such access should continue. This in itself is quite telling.

Many claims have been made in regards to private hire car access to bus lanes and bus gates over the years; with proponents making various claims of possible positive benefits and opponents making claims of possible negative benefits. A trial on 7-7-7 bus lane operation provides an excellent opportunity for a simultaneous trial on private hire car access. Taking advantage of this opportunity will allow data to be collected on the impacts of private hire car access to the bus lanes, which will then allow evidence led decisions to be made on the matter. By trialling private hire car access, we will be able to put facts against the claims being made by those on both sides of the argument and come to conclusions based on the real-world and tried-and-tested effects of private hire car access, either positive or negative, whatever the case may be.

We call on the committee to include private hire car access to bus lanes during the 7-7-7 bus lane trial.

Yours Faithfully,

Eddie Grice,

SPHA General Secretary,  
On behalf of the members of the SPHA Edinburgh Branch.