

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 3 May 2011.

PRESENT: Councillor Brunton (Chair), Councillors Cole, C Hobson, J Hobson, Kerr, Khan (originator of the Call-In), Mawston, Purvis, Rooney (as substitute for Councillor Dryden), P Thompson (as substitute for Councillor Ismail) and J A Walker.

OFFICERS: J Bennington, E Chicken, P Clark, R G Long and M Robinson.

**** PRESENT BY INVITATION:** The Mayor, Ray Mallon.

**** ALSO IN ATTENDANCE:** Councillors Budd, Lowes and N J Walker.
Representatives of Middlesbrough Borough Cars Limited
Members of the public.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Dryden and Ismail.

**** DECLARATION OF INTERESTS**

No declarations of interest were made at this point of the meeting.

TRAFFIC MANAGEMENT ISSUES – WILSON STREET

The Senior Scrutiny Officer submitted an introductory report outlining the Council's Call-In – procedure; the decision taken at an Individual Executive Decision-Making meeting held on 12 April 2011; and the reasons given to the Authority's Proper Officer initiating the Call-In Procedure in relation to the decision taken in respect of the report on Wilson Street - Traffic Management Issues.

The Chair explained the procedure to be followed at the meeting.

The Head of Community Protection reported on the rationale of the report considered at the Individual Executive Decision-Making meeting held on 12 April 2011 and responded to the following reasons given for the Call-In:-

- (i) More than one representative of the QTP in attendance asserted that their views put forward in the report by a council officer was incorrect and therefore unreliable.
- (ii) The Chair of the meeting was not impartial.
- (iii) Evidence of an actual pre-determination of the outcome of the meeting.

The Head of Community Protection confirmed that Transportation Planning International (TPI) consultants had been commissioned by the Council to undertake an impartial review of the town centre night time traffic management arrangements.

Reference was made to the setting up of a Quality Taxi Partnership (QTP) which was seen as a driving force to secure improvements although it was acknowledged that further work was required for it to operate as a functioning partnership.

The main issue of the report related to a stretch of Wilson Street between Albert Road and Linthorpe Mews which could be extremely congested at peak times generally between 1.00 a.m. and 4.00 a.m. on Friday and Saturday mornings arising from a large number of hackney carriages and private hire vehicles in such a location.

In August 2010, following extensive surveys and consultation with key stakeholders, TPI had produced a report on their findings which stated that they had been unable to establish a consensus view on one way forward to address the Wilson Street issues. As a result they had proposed the following three options to be piloted and evaluated:-

'Option 1: Full closure of Wilson Street after the last late night bus and up to 4.00 a.m.;
Option 2: Wilson Street is retained operating as a two-way road-one rank along Wilson Street (to be decided by the QTP) is retained;
Option 3: Wilson Street operating under a one-way system (east-west), after the last late night bus and up to 4.00 a.m. – one rank along Wilson Street (to be decided by the QTP) is retained.'

Such options had been considered by the QTP in February 2011 but the use of taxi marshalls had been the only proposal where there had been some degree of agreement reached.

At the Individual Executive Decision-Making meeting held on 12 April 2011 it had been agreed 'that as a first option to tackle the late night congestion issues, the development of proposals for taxi marshalls in the Wilson Street location be approved and that these proposals be the subject of a further report within three months.'

An assurance was given that the Council had acted impartially throughout the process.

Councillor Khan was afforded the opportunity of asking questions following which it was indicated that one of the Board Members had visited the area in question at 1.00 a.m. and confirmation was given by the Head of Community Protection that there were three taxi ranks in the area.

Councillor Khan called Christine Bell and Mohammed Bashir of Middlesbrough Borough Cars Limited as witnesses. The main points arising from the subsequent comments centred on:-

- a) the need for clarification as to the reasons for setting up and the role of the QTP;
- b) perceived lack of impartiality by the Council;
- c) reasons as to why the Executive Member for Community Protection had not been involved in the decision taken at the Individual Executive Decision-Making meeting held on 12 April 2011;
- d) lack of consultation;
- e) a proposals to remove a taxi rank from the four currently operating in the area was suggested in the interests of public safety;
- f) it was considered that there was no need for taxi marshalls and that they would be of no benefit and would incur additional costs.

The Mayor and the Head of Community Protection Officer were afforded the opportunity of asking questions of Councillor Khan. Following questions Councillor Khan confirmed that the relevant Ward Councillors had been informed of the proposals but only by means of an email and a Members' briefing. Although support had been expressed to develop proposals for taxi marshalls and a further review report would be considered after three months Councillor Khan questioned the level of support to the proposal and referred to a lack of consultation with the taxi trade.

Members of the Overview and Scrutiny Board posed questions of all parties the responses from which focussed on the following: -

- (i) the Police had identified the area at Wilson Street as a hot spot for some time and had undertaken specific exercises as other priorities allowed;
- (ii) confirmation was given that the costs involved with utilising taxi marshalls would be met by licence fees paid by the taxi trade;
- (iii) Officers were reasonably certain that the respective Ward Councillors had not submitted any responses following the consultation period with Members;
- (iv) the Mayor gave an indication of the background to the issues concerned and reasons for taking the decision and not the Executive Member for Community Protection given the prevailing difficult and complex circumstances currently around a number of taxi issues.

Following closing submissions of the Head of Community Protection and Councillor Khan, the Board discussed the evidence received.

Members of the Board expressed support for the development of proposals for taxi marshalls in the Wilson Street location for a trial basis and a further report considered within three months. It was also indicated that the overall benefits to the Town and safety concerns was of prime importance.

The Board considered the evidence and voted upon its decision.

ORDERED that the decision taken an Individual Executive Decision-Making meeting held on 12 April 2011 in respect of traffic management issues at Wilson Street be not referred back on the basis of the evidence presented.