

**LICENSING
COMMITTEE**

17th March 2014

WORCESTER ROAD HACKNEY CARRIAGE STAND – NEW PROPOSAL

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To advise members of a new proposal to provide additional spaces for hackney carriages to stand and ply for hire in Worcester Road and to request that Officers conduct a 28 days public consultation; any objections received will be brought back before the Licensing Committee for consideration before a decision is taken about whether to proceed with the appointment of the proposed hackney carriage stand.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

Whether or not Officers conduct a 28 day public consultation process on the proposed hackney carriage stand – any objections received will then be brought back before the Licensing Committee for consideration before a decision is taken about whether to proceed with the appointment of the proposed hackney carriage stand.

3. KEY ISSUES

Financial Implications

3.1 The cost of the public notice and other administrative costs will be met from existing budgets held by Worcestershire Regulatory Services.

3.2 In the event that the proposed stand is appointed the cost of any additional signage and road markings required will also need to be met by Worcestershire Regulatory Services from existing budgets.

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Legal Implications

- 3.3 Licensing Authorities have power under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to create, amend and revoke hackney carriage stands (ranks). This allows district councils to “appoint stands for Hackney Carriages” either on public highways or private land and the stands can be for either continual or part-time use.
- 3.4 Under the Local Government (Miscellaneous Provisions) Act 1976 s63 a district council is required to publish a notice in a local newspaper and wait 28 days from publication, after which Members will need to consider any written representations of objections made.
- 3.5 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand a district council is required to give notice to the chief officer of police.
- 3.6 Additionally a district council cannot create a hackney carriage stand:
- (a) so as unreasonably to prevent access to any premises;
 - (b) so as to impede the use of any points authorised to be used in connection with a local service within the meaning of the Transport Act 1985 or PSV operator’s licence granted under the Public Passenger Vehicles Act 1981, as points for the taking up or setting down of passengers, or in such a position as to interfere unreasonably with access to any station or depot of any passenger road transport operators, except with the consent of those operators;
 - (c) on any highway except with the consent of the highway authority;

Service / Operational Implications

- 3.7 At the Licensing Committee meeting that took place on 25th November 2013, Members considered the responses received during a 28 day consultation on a proposal to amend the Worcester Road hackney carriage stand to incorporate a further 7 / 8 rank spaces.
- 3.8 This proposal had been originally put forward by the Taxi Trade and considered by the Licensing Committee in May 2013, when officers were tasked with consulting on the proposal.

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- 3.9 Various representatives of businesses located in Worcester Road made comments and raised objections to the proposal consulted upon.
- 3.10 Having considered the responses received, Members resolved that officers be tasked to explore other options for creating additional rank spaces in the Worcester Road area.
- 3.11 Officers arranged a meeting with the key stakeholders, which took place in December 2013. The stakeholders attending the meeting included the Traffic Management Advisor for West Mercia Police, the Senior Traffic Management Engineer for Worcestershire County Council Highways and Mr Eacock for the Taxi Association.
- 3.12 The meeting included a site visit to Worcester Road and the surrounding area, where possible options for increasing the provision of space for hackney carriages to stand and ply for hire at night were considered and evaluated.
- 3.13 Subsequent to this meeting, a proposal has been put forward that is agreed by all key stakeholders to be the best and only realistic available option for increasing provision for hackney carriages to stand at night in Worcester Road.
- 3.14 The proposal being put forwards involves creating a stand for hackney carriages between 11pm and 5am in an area on the West side of Worcester Road to the North of Station Street. This area is currently subject to a 30 minute waiting limit (no return within 1 hour) between 8am and 6pm, Monday to Saturday. A plan showing the proposed position of this hackney carriage stand is at **Appendix 1**.
- 3.15 It is proposed that this area be amended so that it remains as a restricted parking area with a 30 minute waiting limit (no return within 1 hour) between 8am and 6pm, Monday to Saturday and also be appointed as a stand for hackney carriages between 11pm and 5am. The area should provide sufficient space for 6/7 additional hackney carriages to stand and ply for hire.
- 3.16 The proposed hackney carriage stand would be in line of sight of the existing part-time hackney carriage stand which is located on the East side of Worcester Road, to the South of the junction with Station Street. This area is outside of Neales Garage and operates as a loading bay between 7am and 7pm and as a stand for hackney carriages between 7pm and 7am.
- 3.17 The intention is that the proposed hackney carriage stand should operate predominantly as a “feeder” to the existing part-time stand. If the proposed stand operates in this way, it ensures that passengers can enter vehicles directly from the pavement on the nearside. This is

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considered to be safer rather than having to enter the vehicle from the middle of the road, where there is an increased risk of a traffic accident in what is a relatively narrow road.

- 3.18 It is understood that the current management of the nightclub in Worcester Road has offered to provide marshals to help manage the queue for taxis and direct passengers to enter taxis from the existing part-time rank rather than the proposed "feeder" facility.
- 3.19 An additional advantage to the proposal being put forwards is that it would not require any additional alterations to be made to the existing road layout, aside from any road markings or signage required.
- 3.20 As the proposed hackney carriage stand would only be appointed as such between 11pm and 5am, the area would remain available to be used for parking by the general public for 30 minutes (no return within 1 hour) between 8am and 6pm and without restriction between 6pm and 11pm and 5am and 8am. This will help minimise the impact of the proposed stand on businesses in Worcester Road, whose customers currently utilise this area for parking.
- 3.21 Worcestershire County Council's Highways Unit has also confirmed that they would not need to amend any existing Traffic Regulation Orders to implement the proposal being put forwards, which would significantly reduce the timescale for establishing a hackney carriage stand.
- 3.22 Before it can proceed to appointing a hackney carriage stand, under the Local Government (Miscellaneous Provisions) Act 1976 s63, a district council is required to publish a notice in a local newspaper and wait 28 days from publication, after which Members will need to consider any written representations of objections (if any) received.

4. RISK MANAGEMENT

- 4.1 The main risk associated with the detail included in this report is:
- To ensure that public transport is readily available, accessible and effective in contributing to the night time economy.

5. APPENDICES

Appendix 1 – Location Plan

BROMSGROVE DISTRICT COUNCIL

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