



**LATE REPORT**

Licensing Regulatory Committee

Thursday, 12 February 2015

The following report was received too late to be included on the main agenda for this meeting and was marked 'to follow'. It is now enclosed, as follows:

Agenda Item Number	Page	Title
7	1 - 11	LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - PROPOSED REVIEW OF HACKNEY CARRIAGE STANDS IN MORECAMBE
		Report of Licensing Manager

**LICENSING REGULATORY COMMITTEE**

**Local Government (Miscellaneous Provisions) Act 1976 –  
Proposed Review of Hackney Carriage Stands in  
Morecambe  
12<sup>th</sup> February 2015**

**Report of Licensing Manager**

**PURPOSE OF REPORT**

To update members and seek further consideration of proposals to make amendments to the rank provision in Morecambe

**This report is public**

**RECOMMENDATIONS**

- (1) That, taking into account the consultation responses and the further revised proposals in relation to rank provision on Market Street at Morecambe, the Committee determine whether it wishes to appoint a 35 metre stand for 8 hackney carriages on the west side of Market Street, with one additional rank space on the east side of Market Street as the head of the rank. And in conjunction with this, to remove the 37m stand with capacity for 8 hackney carriages and 4 feeder bays from the east side of Market Street

**1.0 Introduction**

- 1.1 Members will recall that this matter was on the agenda for the last meeting in January and was deferred until this meeting so that further consultation could take place with officers from the highways authority and members of the hackney carriage trade
- 1.2 Members will be aware that in October 2014 a report was considered in relation to the removal of the existing hackney carriage stand at the Arndale Centre in Morecambe and the introduction of a new stand on the other side of the road. A copy of the report is attached at appendix 1 to this report.
- 1.3 Members will be aware that the provision of ranks in Morecambe is being considered as part of the Morecambe Area Action Plan (MAAP), and therefore the proposals have been put forward by officers from Regeneration and Planning.
- 1.4 The statutory consultation period closed on the 21<sup>st</sup> November. There were 30 responses received, all against the proposal. Twenty nine of the responses were identical and one individual response was received. The responses received are attached at appendix 2 to this report. To save paper only one copy of the standard

response has been attached. However members should note, that as previously mentioned there were 29 of these received. Twenty eight were from the trade and one was from a customer.

- 1.5 The individual response set out a suggestion to maintain an additional one or two space rank on the Arndale centre (east) side of the road. This would then work in the same way as the hackney carriage rank on Network Rail land at Lancaster Station whereby the first space on the rank is right outside of the door. Licensing officers would certainly support at least one additional space, approximately 5m in length, and 25 metres south of the Arndale centre access, on the same side. This would mean that customers would not have to cross over the road to get to the first car on the rank.
- 1.6 Lancashire County Council as Highway authority raised concerns with this proposal as their view was to keep the disabled parking and the rank completely separate, with the rank on the west side of Market Street and the disabled parking on the east side. Effectively juxtaposing the original arrangement.
- 1.7 Further discussions have taken place with the highways authority and a revised proposal has now been submitted by Lancaster City Council Planning and Regeneration. The revised proposal is to appoint a rank for 8 vehicles on the west side of Market Street and to appoint an additional space for 1 taxi on the east side (Arndale side) of the road in line with the request received during the consultation. A copy of the revised plan is attached at appendix 3 to this report.
- 1.8 The Highways authority have indicated that initially the amendments could be covered by an Experimental Traffic Regulation Order (ETRO). An ETRO is an eighteen month experimental order that can be revised within the first six months. After the 18 months the county would need to either confirm or revoke the order. If confirmed the revised regulations then apply as a TRO. A final decision on the whether to implement the proposals under ETRO or under standard TRO arrangements has not been confirmed at this time.
- 1.9 Since the last meeting, there has also been further discussion with the taxi trade, and a proprietor has put forward the following alternative suggestion:

*“Move rank to Tunstall Street and Anderton Street. 24 hours, no stopping except taxis, reverse the traffic flow on Tunstall Street, change loading area to a taxi rank, no entry except taxis from Central Drive. Anderton Street to have taxi rank on west side, reverse traffic flow.”*

However, it is understood that changes on this scale would only be considered by county highways as part of a much wider piece of work such as part of the Movement Strategy for Morecambe – work much longer term in nature and which city and county council officers will work on in the coming months and years. Further, the previous representations received from the trade indicated that the removal of the rank in Market Street would not be supported

- 1.10 Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 a district council may from time to time appoint stands for hackney carriages for the whole or any part of a day in any highway in the district which is maintainable at the public expense and, with the consent of the owner, on any land in the district which

does not form part of a highway so maintainable and may from time to time vary the number of hackney carriages permitted to be at each stand.

Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand in exercise of the powers of this section, a district council shall give notice to the chief officer of police for the police area in which the stand is situated and shall also give public notice of the proposal by advertisement in at least one local newspaper circulating in the district and shall take into consideration any objections or representations in respect of such proposal which may be made to them in writing within twenty-eight days of the first publication of such notice. Such notice has been given in respect of the proposal to move the rank from the east side of Market Street to the west side, and, as indicated above, the responses are at Appendix 2.

However, members should note that Section 63(3) provides that a district council is not empowered to appoint a stand on any highway except with the consent of the highway authority. Further, Section 63(5) provides that the power to “appoint” ranks includes the power to revoke or alter existing stands.

## 2.0 Conclusion

- 2.1 Members are asked to consider whether to approve the proposals as now set out in this report and attached plan, taking account of the consultation responses previously received.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)	
None applicable to this report	
<b>FINANCIAL IMPLICATIONS</b>	
If the proposals are approved the funding of the stands and associated works in Morecambe may be funded through the Morecambe Area Action Plan.	
<b>LEGAL IMPLICATIONS</b>	
These are contained within the report	
<b>BACKGROUND PAPERS</b>	<b>Contact Officer:</b> Wendy Peck <b>Telephone:</b> 01524 582317 <b>E-mail:</b> <a href="mailto:wpeck@lancaster.gov.uk">wpeck@lancaster.gov.uk</a> <b>Ref:</b>

**LICENSING REGULATORY COMMITTEE**

**Local Government (Miscellaneous Provisions) Act 1976 –  
Proposed Review of the Hackney Carriage Stand at the  
Arndale Centre, Market Street, Morecambe  
16<sup>th</sup> October 2014**

**Report of Licensing Manager**

**PURPOSE OF REPORT**

The report is to seek Members' approval of the commencement of a consultation on the review of the hackney carriage stand at the Arndale Centre in Morecambe which has been proposed as part of the Morecambe Area Action Plan.

**This report is public**

**RECOMMENDATIONS**

- (1) To indicate that, subject to consultation, the Committee would be minded to approve the proposed changes to the hackney carriage stand at the Arndale Centre, Market Street, Morecambe.**
  - **Remove the 8 taxi bays and 4 feeder bays from the east side of Market Street (as existing) and instead provide a 35 metre bay for 6 taxis along the west side of Market Street**
- (2) To authorise the Chief Officer (Governance), in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976, to advertise the proposed new hackney carriage stand.**

**1.0 Introduction**

- 1.1 Members will be aware that there is currently a Morecambe Area Action Plan (MAAP), and these changes are part of that overall plan.
- 1.2 The MAAP is much about restructuring the heart of the town so it draws people in and makes it function better for pedestrians – and in turn so people stay longer and spend more to the benefit of trading. The MAAP identifies a lack of quality places landward of the seafront and it contains many actions to remedy this and strengthen

the town centre including (as per Action Set 8) to transform the street space between Barclays and the Post office as a public place with real quality.

- 1.3 Cabinet approved proposals for this in April 2014 and regeneration and planning officers have been working on these since and detailing a range of interrelated traffic changes to make the transformation possible. This work has included informal consultations with businesses and stakeholders including the Lancaster City Hackney Proprietors' Association.
- 1.4 The proposal is to put the taxi rank in what is understood to be the preferred location of drivers alongside the Post Office and switch disabled parking spaces to the side by the Arndale Centre (where the existing rank is). This will enable taxi passengers to alight direct onto the pavement, drivers to readily turn round a new turning facility on Market Street and pick up close by the Arndale Centre entrance and will benefit disabled drivers who will be able to alight straight onto the pavement. In turn these measures help make it possible to free up traffic space just to the north, narrow the carriageway and make a much better and safer pedestrian environment.
- 1.5 Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, a district council may from time to time appoint stands for hackney carriages for the whole or any part of a day in any highway in the district which is maintainable at the public expense and, with the consent of the owner, on any land in the district which does not form part of a highway so maintainable and may from time to time vary the number of hackney carriages permitted to be at each stand.
- 1.6 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand in exercise of the powers of this section, a district council shall give notice to the chief officer of police for the police area in which the stand is situated and shall also give public notice of the proposal by advertisement in at least one local newspaper circulating in the district and shall take into consideration any objections or representations in respect of such proposal which may be made to them in writing within twenty-eight days of the first publication of such notice.
- 1.7 Nothing in Section 63 shall empower a district council to appoint any such 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 'bus 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;and in deciding the position of stands a district council shall have regard to the position of any bus stops for the time being in use.
- 1.8 Subject to the Committee's decision to proceed with the review of the hackney carriage stand as set out in the report and following the outcome of the required consultation process above, it would then be necessary to request the County Highways Authority to implement procedures to create appropriate Traffic Regulation

Orders since the proposed changes at the specified sites would affect existing parking restrictions. Such process would also involve a further formal consultation process.

**2.0 Conclusion**

Members are requested to approve the amendment to the hackney carriage stand, as set out in the report, and to authorise the Chief Officer (Governance) to publish the notice in the newspaper as required by the legislation.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)  None applicable to this report	
<b>FINANCIAL IMPLICATIONS</b>  If the proposals are approved the funding of the Stands and associated works in Morecambe will be funded through the Morecambe Area Action Plan.  The costs of advertising for the purpose of the requirements of the Local Government (Miscellaneous Provisions) Act 1976 will be met from the 2014/115 advertising budget.	
<b>LEGAL IMPLICATIONS</b>  These are contained within the report.	
<b>BACKGROUND PAPERS</b> None.	<b>Contact Officer:</b> Wendy Peck <b>Telephone:</b> 01524 582317 <b>E-mail:</b> wpeck@lancaster.gov.uk <b>Ref:</b>

Rec-19/11/14

Mr Alan Lydiate  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Ms S Taylor  
 Chief Officer Governance  
 Lancaster City Council  
 Town Hall  
 Dalton Square  
 Lancaster  
 LA1 1PJ

17<sup>th</sup> November 2014

Dear Ms Taylor

**Re: Objection to proposal for Hackney Carriage Stands in Morecambe :**

Keeping in mind the mantra "Lancaster City Council, an investor in people/positive about disabled people" you display at the bottom of all email correspondence, I would ask you to review your proposals for the Hackney Carriage Rank as it appears to be inconsiderate towards the disabled both physical and visually impaired, elderly and infirm.

For decades this group of travelling public have enjoyed the convenience of a warm, dry hackney carriage available directly outside the door to the Arndale Centre which reduces their exposure to the elements to the minimum. Your proposals to re-site the taxi rank some 30+ metres down Market Street on the opposite side of the road clearly, disadvantages this sector of the public from the young and able bodied.

May I suggest a solution would be to situate one or two spaces for hackney carriages at the front doors of the Arndale maintaining the service which the elderly and disabled public have relied on for decades. Having consulted with many passengers I am of no doubt that should the proposals be implemented as indicated it will certainly not constitute an improvement for many people.

Furthermore this rank is the only taxi rank with regular customer demand in the Morecambe area and there are already insufficient spaces to facilitate the number of hackney carriages today. These proposals will only increase the difficulties experienced by proprietors/drivers on a day to day basis. The proposal to compensate for the loss of spaces on Market Street by bringing forward possible proposals for new taxi bays on Tunstall Street which will require further consultation in due course is by no means adequate.

As an independent, rank only operating hackney carriage proprietor relying on public demand, which is at the entrance to the Arndale Centre from Market Street, spaces on Tunstall Street will not



provide the same demand due to their position in relation to the public exiting the shopping centre.  
Resulting in a huge impact on the ability to sustain a liveable income.

I trust you will give due consideration to the above opinions and review the proposals accordingly.

Yours sincerely

Alan Lydiate

Name

Ms. S. Taylor

Address

Chief Officer Governance

Lancaster City Council

Town Hall

Badge Number

LANCASTER

HO+PD 0358

17-11-2014

Dear Ms. Taylor,

I object to the proposal for hackney carriage stands in Morecambe, for the following reasons:

The ranks on the east side of Market Street are the only ranks in the centre of Morecambe. There are 108 hackney carriages that may come to the rank at any given time. The provision in Market Street is insufficient now. Council officers move taxis on now. The rank at the south end of Market Street should be retained to feed taxis on to the proposed rank on the west side.

There is no need for disabled parking on the south east of Market Street as they can use the car park which is only a few feet away.

Ranks formerly known as M10 and M12 have already been taken by disabled parking spaces. Fourteen spaces lost in the centre of town and not replaced.

There is a requirement to provide spaces. The council charge fees for the provision and maintenance of ranks. Despite attending numerous meetings over 23 years to discuss provision of ranks in Morecambe nothing of significance has altered. I would refer you to the 1976 act regarding provisions of ranks.

You may anticipate legal action should this proceed.

Yours sincerely

Representations Received

1. Mr A Lydiate
2. Mrs R Houghton
3. Mrs G Loynds
4. Mr I Fleetwood
5. Mr M Shannon
6. Mr C Wilson
7. Mr D Kempster
8. Mr R Allman
9. Mr K Davidson
10. Mr W Richardson
11. Mr J Thomlinson
12. Mr J Aldred
13. Mr C Houghton
14. Mr S Dixon
15. Mr D wilson
16. Mr S J Dixon
17. Mr R Desai
18. Mr G Carr
19. Mr J Barker
20. Mr A Courtney
21. Mr C lee
22. Mr S Wilkinson
23. Mr C Parker
24. Mr P A Dixon
25. Mr S Parker
26. Mr A Dilworth
27. Mr W Riley
28. Mr E Merrigan
29. Mr P Hunt
30. Mr A Billington

"The data in this map is derived from the Ordnance Survey MasterMap dataset, and is used here under Ordnance Survey Licence No. 100023320."



PROJECT  
**IMPROVING MORECAMBE'S MAIN STREETS**  
- Connecting Victoria Street

DRAWING  
**Existing & Proposed Layouts**

**LANCASTER CITY COUNCIL**  
Promoting City, Coast & Countryside

**Engineering Team**  
Regeneration & Planning Service  
MORECAMBE TOWN HALL  
MARINE ROAD EAST  
MORECAMBE  
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SCALE	1:250 @ A1	
DRAWN BY	G. Bowker	APPROVED G. Bowker
DATE	09/02/15	DATE 09/02/15
DRAWING No. 7760 / 1 / 1		