

LICENSING REGULATORY COMMITTEE

Local Government (Miscellaneous Provisions) Act 1976 – Proposed Review of Hackney Carriage Stands in Morecambe 12th 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 21st 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.

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