

LICENSING REGULATORY COMMITTEE

Local Government (Miscellaneous Provisions) Act 1976 Proposed Review of Hackney Carriage Stands in Morecambe 8th January 2015

Report of Licensing Manager

PURPOSE OF REPORT

The report is to inform Members of the responses in relation to the recent consultation on the proposal received as part of the Morecambe Area Action Plan to remove the existing rank on Market Street Morecambe and appoint a rank on the other side of the road on Market Street Morecambe.

To ask Members to consider, in conjunction with the responses, the further proposals in relation to making amendments to the rank provision in Morecambe.

This report is public

RECOMMENDATIONS

- (1) That, taking into account the consultation responses and the further proposals in relation to rank provision in Morecambe, the Committee determine whether it wishes to appoint a 35 metre stand for 8 hackney carriages on the west side of Market Street, and, bearing in mind in particular the views of the County Council, whether it wishes, in conjunction with this, to remove all or part of the 37 m stand with capacity for 8 hackney carriages and 4 feeder bays from the east side of Market Street.
- (2) That the Committee indicates whether it would be minded to approve, subject to the statutory consultation, the proposed changes to the hackney carriage stands in Morecambe as set out below:
 - a) To remove the 43 m 9 space rank at Marine Road central car park
 - b) To create a 15 m 3 space 24 hour rank on Tunstall Street
 - c) To create a 23 m 5 space overnight rank to operate between the hours of 6pm and 8am on Marine Road Central outside of Costa and Nat West.
 - d) To create a 10 m 2 space overnight rank to operate between the hours of 6pm and 8am on Marine Road Central outside of the Queens Hotel.

e) To create a 10 m 2 space overnight rank to operate between the hours of 6pm and 8am on Tunstall Street, and

- (3) If the Committee is so minded, to authorise the Chief Officer (Governance), in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976, to advertise the proposed further changes to the hackney carriage stand provision in Morecambe as set out in (2) above.**

1.0 Introduction

- 1.1 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
- 1.2 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.
- 1.3 The statutory consultation period closed on the 21st November. There were 30 responses received, all against the proposal. Twenty-eight were from the trade and one was from a customer. 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. Details of the 29 people who sent in the identical responses are included.
- 1.4 Officers would like to draw Members' attention to the individual response which sets 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 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 5 m, outside of the Arndale centre. This would mean that customers would not have to cross over the road to get to the first car on the rank.
- 1.5 However, the Lancashire County Council as Highway authority is not happy with this proposal as they would like 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. They have also suggested that if the licensing officers' recommendation were approved, taxi drivers would abuse the facility.
- 1.6 Members will see from the responses attached that the proposals met with some concern from the hackney carriage trade; however since the proposal was put forward, it has proved possible to move forward with wider proposals to improve streets and spaces in the vicinity and in turn this has opened up opportunities to rework the taxi provision across a somewhat wider area.
- 1.7 Accordingly, officers in the Regeneration and Planning Service now propose the following and it is hoped that these wider proposals will both allay concerns about the specific proposal for Market Street and make provision for bays in the wider area more suited to the needs of the taxi trade. Aspects of these have been discussed at some length with the nominated Lancaster City Hackney Proprietors Association representatives.
- 1.8 The proposals are:

- To provide daytime bays and overnight bays on Tunstall Street both to compensate for the net reduction on Market Street and also to make for better balanced provision with bays effectively either side of the Arndale.
- To provide overnight bays on the landward side of Marine Road Central both immediately east of Queen Street and between Pedder St and Euston Road. During the daytime these will remain as time limited street parking.
- To remove the bays on the Clock Tower car park on Marine Road. It is understood that these bays are used only very lightly during the day but much more so at night and that the new on street overnight provision as just described is better located and should compensate. For information, the removal of the bays on the car park is required as part of a project to reconfigure the areas both side of 'Eric' so the use of land here is as effective as it can be. This project fits to the Morecambe Area Action and will provide a new and better children's play area on the central seafront, reconfigured and more pedestrian friendly parking areas, more space at the east side of Eric to make a new pedestrian gateway from seafront to town at Euston Road and a new off carriageway bus stop.

1.9 A plan of the new proposals is attached at Appendix 3 to this report.

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. It is recommended that notice be given in respect of the proposals set out in 1.8 above. .

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.

As indicated above, the County Council, as highway authority, wishes to have a stand on the west side of Market Street only, and it is likely that the County Council would not consent to an arrangement which would provide space for hackney carriages on both sides of the road. An officer from the County Council has been invited to the meeting to explain the County Council's position.

2.0 Conclusion

- 2.1 Members should consider the representations made and the views of the highway authority and determine, in the light of those representations, whether to approve the removal of some or all of the rank outside of the Arndale Centre, Morecambe and the appointment of a replacement rank on the other side of the road. This work will be paid from the MAAP budget.
- 2.2 Members are requested to approve for consultation the proposals for further amendments to the rank provisions in Morecambe, as set out in this report, and to authorise the Chief Officer (Governance) to publish the notice in the newspaper as required by the legislation.

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

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