

LICENSING REGULATORY COMMITTEE

Points Raised at the Taxi Surgery in October 2016 24th November 2016

Report of the Licensing Manager

PURPOSE OF REPORT

At the request of the chairman, to inform the Committee of action taken in relation to points raised by some members of the trade at the recent Taxi Surgery

This report is public

RECOMMENDATIONS

- 1.0 That members note the comments in the report in relation to action taken following issues raised at the recent Taxi Surgery.**
- 1.1 Some members may recall that at the Taxi Surgery held in October 2016, some members of the trade raised issues in relation to out of hours enforcement of taxi ranks in Morecambe and Lancaster.
- 1.2 The drivers pointed out to members that night time ranks in Morecambe and Lancaster could not be used properly by hackney carriage drivers due to private vehicles continuously parking on them.
- 1.3 Specifically mentioned was the new rank opposite the Clock Tower in Morecambe and the ranks on Sun Street and North Road in Lancaster, however licensing officers are aware that there is also a problem on the rank on Brock Street in Lancaster outside what used to be Bensons for Beds.
- 1.4 This report has been prepared to inform members of what action can and has been taken by licensing officers and what action is planned to try and address this problem.
- 1.5 The taxi drivers at the surgery commented about the signage at the ranks and asked if that could be improved, however the licensing manager has made enquiries with the Highways Department, who have confirmed, as was suspected, that the signage is authorised by the DFT and cannot be changed.
- 1.6 Licensing officers cannot hand out fixed penalty notices in relation to parking on ranks, however Section 64 of the Local Government (Miscellaneous Provisions) Act 1976 makes it an offence for any vehicle other than a hackney carriage vehicle to wait in a rank. If any person contravenes the provisions of the section, without reasonable excuse, they are guilty of an offence.

- 1.7 Using the above section of the legislation licensing officers have been ascertaining the names of the keepers of vehicles which have been photographed parked illegally on the taxi ranks in Morecambe and Lancaster by using a DVLA check, and warning letters have been sent to the keepers of the vehicles. Seventy seven warning letters have been issued since April 2016. A copy of the letter is attached at appendix 1 to this report. To date no one who has received an initial letter has re-offended.
- 1.8 Out of hours operations have been planned with the support of the Lancashire Constabulary. However at short notice the officer allocated to work with licensing officers on the first such operation was re deployed at the last minute due to an emergency, further operations are planned over the next few weeks. Licensing officers did work alone, and monitored the ranks, moving people on when they tried to park there. Additionally officers have done a separate out of hour's operation during which they were accompanied by an officer of the Lancashire Constabulary who issued seven fixed penalty notices in relation to vehicles obstructing the hackney carriage ranks.
- 1.9 A request has been made to Lancashire County Council for civil enforcement parking support officers to work out of hours alongside licensing officers to issue penalty charge notices and help to eradicate this problem.
- 1.10 A further point was raised in relation to the operations at the private hire company on Queen Street. The drivers commented that someone with a clip board stands outside of the office and takes the bookings. This is not unlawful and is quite common in most towns and cities at peak times. As long as the vehicle has been pre-booked, and details of the booking are kept the operators are complying with the legislation.

2.0 Conclusion

This report is to note

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None directly arising from this report</p>
<p>LEGAL IMPLICATIONS</p> <p>The legal implications are contained within the report</p>
<p>FINANCIAL IMPLICATIONS</p> <p>None directly arising from this report as the enforcement will be covered by the current licensing budget.</p>

OTHER RESOURCE IMPLICATIONS**Human Resources:**

None

Information Services:

None

Property:

None

Open Spaces:

None

BACKGROUND PAPERS

None

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