

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 7

meeting date: 4 NOVEMBER 2014
title: STANDS FOR HACKNEY CARRIAGES
submitted by: CHIEF EXECUTIVE
principal author: MAIR HILL

1 PURPOSE

- 1.1 To inform Committee about a request for additional stands for Hackney Carriages
- 1.2 To seek Committee's view on whether the matter should be progressed.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives - }
- Corporate Priorities - } Consideration of these issues will promote the Council's aim to be a well-managed Council.
- Other Considerations - }

2 BACKGROUND

- 2.1 The Council licences two types of vehicles, private hire and hackney carriage. One of the distinguishing features of Hackney Carriages is that they can 'rank up'. Hackney carriages can wait at approved ranks, referred to as 'stands' in the legislation, and await the arrival of the hirer.
- 2.2 The Council has received a request from the Hackney Carriage Drivers Association Ltd, for it to consider the creation of several new hackney carriage stands. The location of the proposed stands and the numbers of vehicles it is proposed should be permitted to rank there are set out below. The Hackney Carriage Drivers Association Ltd also provided illustrative maps of the proposed locations. These are enclosed at **Appendix 1** to this report.

Full Time Stand

- King Street, Whalley (3 Vehicles)
- Train Station, Clitheroe (3 Vehicles)
- Market Place, Clitheroe (3 Vehicles)

Part Time Stand

- Rendezvous, Accrington Road, Whalley (4 Vehicles)
- The Eagle at Barrow (3 vehicles)
- The Emporium, Clitheroe (2 vehicles)
- Key Street, Clitheroe (4 vehicles)

- The Dog Inn, Clitheroe (2 vehicles)
- SOBar, Clitheroe (2 vehicles)

2.3 These proposals were sent to Lancashire County Council (as Highway Authority) and to the Lancashire Constabulary for comment. The response received from Lancashire County Council was:

“Full Time Bays

- *3 vehicles, Kings Street, Whalley. The road has uncontrolled parking close to the Swan Inn. Parking takes place for the majority of the time in this area without any obvious access issues. There are no recorded collisions to indicate parking at this location is problematic. Consequently there appears to be no traffic related reason to prevent introducing a full time hackney carriage stand at this location. Therefore we would not object to Ribble Valley introducing such a provision. However parking is highly sort after in and around this location and it is likely that the proposal would receive considerable resistance.*
- *3 vehicles, Train Station Clitheroe. The area outside the train station has a small drop off area for members of the public to use. I haven't undertaken any swept path analysis but it appears that any significant parking in the area would result in obstruction to the bus operators which service the bus stop. There appears to be 7 bus routes which utilise the stop as well as a school service. Ideally the area would benefit from a hackney carriage link but I do not think directly outside the station would be viable due to the bus obstruction issue.*
- *3 vehicles Market Place Clitheroe. The road has a parking bay which is already prohibited from use except by Taxi's between the hours of 8pm and 6am. Parking is permitted for 30 minutes outside of these times. In order to introduce a full time hackney carriage stand at this location the County Council would have to revoke the Traffic Regulation Order. This would not be a high priority for the Council, especially given that taxi provision is in place. Again parking is at a premium in the area and it is likely that introducing a full time hackney carriage Stand would be met with considerable resistance.*

Part Time Bays

- *4 vehicles, 11pm-5am, Mon-Sat + Bank Holidays, Outside Rendezvous Nightclub, Accrington Road, Whalley. The road has uncontrolled parking at this location. Parking takes place for a considerable portion of the day in this area without any obvious access issues. There are no recorded collisions to indicate parking at this location is problematic. Consequently there appears to be no traffic related reason to prevent a hackney carriage stand being introduced at this location for the time periods requested. Therefore we would not object to Ribble Valley introducing such a provision. However I believe 4 Vehicles is optimistic to say the least and the most that could be accommodated would be 3. Any higher number will obstruct the private parking area access or the side street to the rear of the club.*
- *3 vehicles, 9pm-2am, Thu, Fri, Sat, The Eagle, Clitheroe Road, Barrow. The road has no control on parking however the Eagle does have a significant amount of off street parking. As a consequence there is no obvious need for a rank on the carriageway. The other issue is that the speed limit is 40mph. As a consequence it would be an offence to*

park or wait at night without lights. I wouldn't offer an objection and I can't envisage any particular resistance to such a proposal but the Police may have a different view.

- *2 vehicles, 9pm-2am, Fri, Sat, Sun, The Emporium, Lower Gate Clitheroe. The location is totally unsuitable for traffic to wait due to proximity of the roundabout. Allowing parking or waiting at the location would create sightline safety issues for vehicles using the roundabout as well as compromising vehicular access. The County Council would not support the provision of a hackney carriage stand at this location. Having said that the plan does appear to show a different location, although the actual position is not obvious. However waiting along the majority of the street is restricted with double yellow lines and consequently it is unlikely that the County Council would support the provision of a Hackney Carriage Stand along Lower Gate.*
- *2 vehicles, 9pm-3am, Thu, Fri, Sat, Sun, Dog Inn, Wellgate, Clitheroe. Both sides of the carriageway are covered by a no waiting at any time traffic regulation order. The carriageway is narrow and although the road is only one way it is unlikely that the available carriageway will allow standing vehicles without compromising flows along the road, especially into the junction area and the splitter island. Consequently the County Council would not support the provision of a hackney carriage stand at this location.*
- *2 vehicles, 9pm-3am, Thu, Fri, Sat, Post Office / So Bar, King Street, Clitheroe. There is an existing disabled parking bay to the front of the Post Office with restricted parking to the north west. It is reasonable to provide a Hackney Carriage Stand in the evening at this location but this would mean that the Traffic Regulation Order would need to be revoked and the disabled parking bay reinstated with a set time period. This would not be a high priority for the County Council. I am unsure as to the legality of signing a disabled parking bay introduced using Road traffic Regulation Act 1984 and a Hackney Carriage Stand introduced using powers within the Local Government General Provisions Act 1976 at the same location. This will need to be investigated further. It may be possible in this instance to introduce a single Order, using RTRA 84, to limit waiting for disabled users in the day and taxi's at night but again this would not be considered a priority for the County Council. In actual fact such an order would currently require special authorisation from the Department for Transport (DfT). The DfT are currently not providing any special authorisations. It may be that this mix use becomes permissible with the new Traffic Signs and General Directions which is expected in April 2015...."*

The response received from Lancashire Constabulary was:

"Parking in Whalley is difficult at the best of times and there is room outside Cosgroves for about six or seven cars, a full time taxi rank would take up half of these.

- *Why is a taxi rank outside The Eagle at Barrow required when there is a large car park to pick up on?*
- *There is already a taxi rank on King Lane to service people coming out of So Bar 50 yards away.*
- *Taxis parking outside residential houses on Lowergate is not ideal and there are congestion issues there at the best of times."*

3 ISSUES

3.1 Should Committee wish to progress this the creation of any additional Hackney Carriage stands, it must do so pursuant to its powers under Section 63 of the Local Government (Miscellaneous provisions) Act 1976 (“Act”).

3.2 Section 63 of the Act provides that “(1)...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

(2) 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 of police for the police area in which the stand is to be 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.

(3) Nothing, in this section 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 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 regard to the position of any bus stops for the time being in use”.

3.3 As can be seen from the legislation set out above the Council would need to give notice to the chief of police for this area before appointing any additional hackney carriage stands and would not be able to do so on any highway except with the consent of the highway authority. The views expressed by both the police and the Highway Authority to date are set out above but can be summarised as follows:

Proposed Stand	Police Support	Highway Authority Consent
King Street, Whalley	No	Yes but expect consideration resistance to proposal
Train Station, Clitheroe	No comment at present	No, not viable.
Market Place, Clitheroe	No comment at present	LCC would be required to revoke a Traffic Regulation Order, for this to be possible which would not

		be a priority.
Rendezvous, Accrington Road, Whalley	No comment at present	Yes, but 3 vehicles maximum.
The Eagle at Barrow	No	Yes
The Emporium, Clitheroe	No	No
Key Street, Clitheroe	No comment at present	No comment at present
The Dog Inn, Clitheroe	No comment at present	No
SOBar, Clitheroe	No	No due to legal difficulties at present and it not being a priority for LCC

3.4 Committee is therefore asked to consider whether it wishes the Council to commence the process set out above for any of the sites requested and/or for any other sites which it considers appropriate.

4. RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – Officer time will be expended if the matter is to be progressed, and there will be a cost to advertising the notice and consulting.
- Technical, Environmental and Legal – No implications identified.
- Political – No implications identified.
- Reputation – Improved public safety will enhance the Council's reputation.
- Equality & Diversity – No implications identified

5. **RECOMMENDED THAT COMMITTEE**

5.1 Reject any proposals for hackney stands which do not have the support of both the Police and the Highway Authority;

5.2 To authorise the Head of Legal and Democratic Services to investigate further those proposed sites where the Police and/or Highway Authority have not yet provided comments and/or where legal issues have been raised; and

5.3 Consider whether there are additional sites which the Council should investigate.

MAIR HILL
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

1. **Appendix 1** - maps of proposed locations provided by Hackney Carriage Association Ltd

For further information please ask for Mair Hill, extension 3216

REF: MJH/Licensing Committee/4 November 2014

King Street, Whalley



the Whalley Wine Shop

King St

B6246

Cosgroves

3 cars

King St

The Swan

B6246

Google

The Dog Inn





King Lane, Clitheroe



Clitheroe 

Platform Gallery 

Dawsons Dept S

3 cars



Google





Market Place, Clitheroe



lights -
arettes



Victoria Hotel

The White Lion Hotel

Skipton Bldg
Society - Clitheroe



The Victoria

New Kids

B6478

3 cars



Oxfam Sh

Dry
UK

Cowgills Of Clitheroe



King Ln
m Hill

20 ft
10 m



Market Pl
Clitheroe



Route

Accrington Road, Whalley

Police Station House

LuLu Browns
Bridal Boutique

Accrington Rd



Rendezvous Nightclub

space for 4 cars

Woodfield View

Princess St
Google



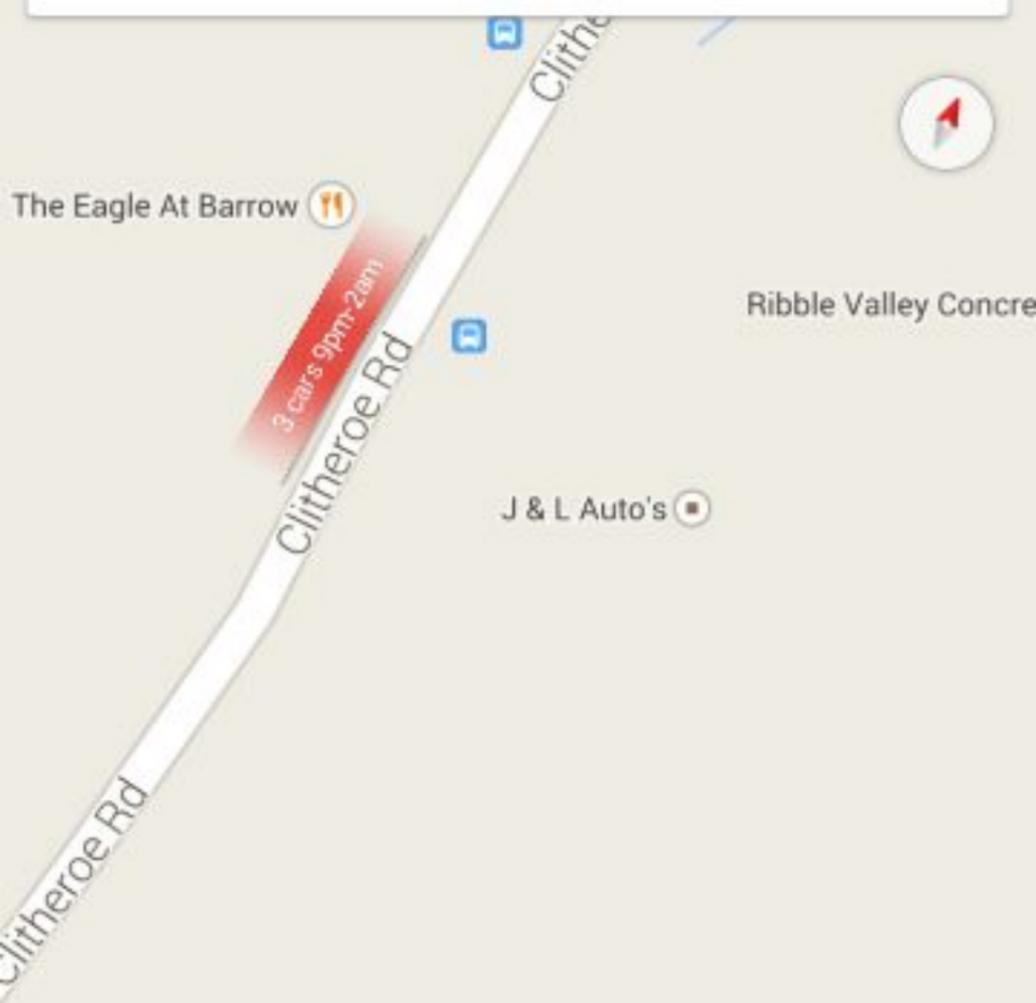


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clitheroe road barrow



Google



Clitheroe Rd

Whalley



Route



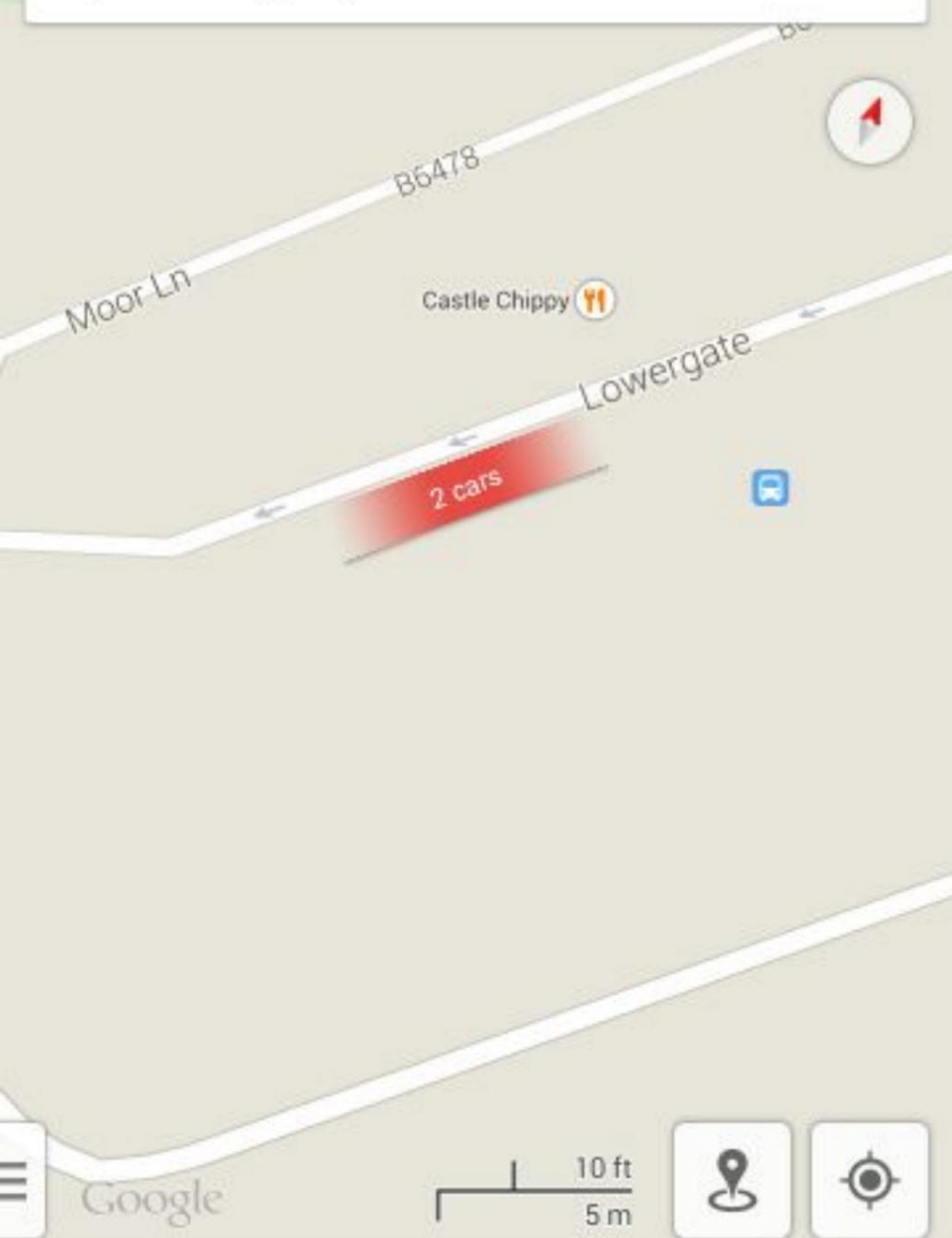
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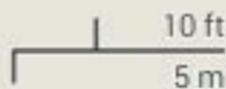
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WITH LOVE

Lowergate, Clitheroe



Google



Lowergate
Clitheroe



Route



30%



13:55

🔍 Lowergate



4 cars

Keystreet 🍷

Lowergate



Google





Wellgate, Clitheroe



Polygon Financial

Wellgate

2 cars

Hooody Marvelous

ate



Google



Dropped pin

near 3 Wellgate



Route



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14:04

King Lane, Clitheroe



Victoria Buildings

D Byrne &

2 cars

King St

Buy Better Beds

Post Office

So Bar

H M Sowerbutts & C

Google



Dropped pin

near 12 King St



Route