

Agenda Item 9

Licensing and Enforcement Committee

2 March 2010

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Proposed Permanent Taxi Ranks for Exmouth Town

Summary

The Licensing and Enforcement Committee is asked to consider changes to the Hackney Carriage ranks in Exmouth Town Centre. This change is part of the regeneration scheme for the town centre and it will ensure that local transport demands are met, with hackney carriage drivers having lawful stands from which to operate their trade.

Recommendation

That the Committee resolves:

- 1. To exercise the Council's powers under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to appoint the following rank in Exmouth:
The Strand to Chapel Hill – 24 Hour Rank
On the north-east side of road
From a point 11 metres south-east of The Strand's junction with Victoria Road for a distance of 50 metres in a south-easterly direction
Restriction: No Waiting At Any Time except taxis
Rank creates 10 new spaces**
- 2. That the requisite public notice be given of the proposed appointment as required by Section 63(2) of the Local Government (Miscellaneous Provisions) Act 1976.**
- 3. That if no written objection or representation is received relating to the notice given under Section 63(2) of the Local Government (Miscellaneous Provisions) Act 1976 within the 28 day period following the publication of that notice the ranks referred to in paragraph 1 of this recommendation will be deemed appointed.**
- 4. That following the appointment of the taxi ranks Devon County Council as the Highways Authority be requested to put in place the appropriate legal provisions and to mark out the ranks as appropriate.**

a) Reasons for Recommendation

The Exmouth Town Centre is currently subject of a regeneration scheme which is due for completion in November 2010. On 24 November 2009 this Committee approved a number of changes to the then existing taxi ranks in the town as well as appointing new permanent ranks and one temporary rank. The temporary rank is only needed to accommodate the regeneration works and will need to be replaced by a permanent rank which is the subject of this report. This recommendation is to ensure that the level of hackney carriage ranks is maintained at an acceptable level ensuring that hackney carriage drivers have an adequate number of ranks from which to work, enabling them to carry on their trade in a lawful manner and to provide a good public service.

b) Alternative Options

Not to adopt the recommendation to site the rank in the location outlined.

c) Risk Considerations

None known

d) Policy and Budgetary Considerations

e) Date for Review of Decision

1 Main Body of the Report

1.1 Under Section 63(1) of the Local Government (Miscellaneous Provisions) Act 1976 the district council can appoint stands for hackney carriages either on public highways or private land and the stands can be for continual or part time use. The district council can also determine the number of hackney carriages that can use a stand and also has the power to vary the numbers. If the land is to be on the public highway the consent of the highway authority is required. It also requires that notice must be given to the Chief Officer of Police.

Other issues that the Council must consider are:

- a. that the stand will not unreasonably prevent access to any premises;
 - b. that the stand will not impede any taking up or setting down points for Public Service Vehicles (buses) or will not unreasonably interfere with access to passenger road transport operators' stations or depots.
- 1.2 The Exmouth Town Centre is currently subject of a regeneration scheme which is due for completion in November 2010. In order to accommodate the scheme on 24 November 2009 this Committee approved a number of changes to the then existing taxi ranks in the town as well as approving new permanent ranks and one temporary rank. The temporary rank is/was needed to accommodate the regeneration works and will need to be replaced by a permanent rank. It is the purpose of this report to seek approval of a new main rank for the centre of Exmouth.
- 1.3 The meeting on the 24 November 2009 approved the ranks including one temporary rank as listed below:

- (a) **Rolle Street (Temporary Rank) – 24 Hour Rank**
South west side from a point 9 metres south east of its junction with Strand for a distance of 40 metres in a south westerly direction
Rank creates 8 spaces
Restriction: No Waiting At Any Time except taxis.
- (b) **The Parade - Evening Only Rank**
Side of road south from a point 95 metres west of its junction with Albion Street for a distance of 15 metres in a westerly direction
Rank creates 3 spaces
Restriction: No Waiting 6pm-midnight and midnight-8am except taxis.
- (c) **Imperial Road – 24 Hour Rank**
Side of road south-west from a point 18 metres north-west of its junction with Rolle Street for a distance of 15 metres in a north-westerly direction
Rank creates 3 spaces
Restriction: No Waiting At Any Time except taxis.
- (d) **Victoria Road – 24 Hour Rank**
Side of road south from a point 11 metres west of its junction with road from The Strand to Chapel Hill: for a distance of 12 metres in a westerly direction
Rank creates 4 spaces
Restriction: No Waiting at Any Time except taxis.
- (e) **Chapel Street – 24 Hour Rank**
West side of Chapel Street from its junction with Church Street for a distance of 13 metres in a northerly direction
Rank accommodates 2 spaces
Restriction: No Waiting at Any Time except taxis.
- (f) **Esplanade – 24 Hour Rank**
South West side of the Esplanade nearly opposite the Pavilion from a point 43 metres north-west of the southern

boundary line of the Beach Gardens for a distance of 13 metres in a north-westerly direction

Rank accommodates 2 spaces

Restriction: No Waiting at Any Time except taxis.

- 1.4 At the conclusion of the regeneration scheme the intention is for the temporary rank in Rolle Street [(a) above] to revert to normal on-street parking. If this happens the number of taxi spaces will be reduced by eight.
- 1.5 The recommendation as set out above is to create a new rank in the Strand. This is the last part of the process to accommodate the regeneration scheme and to create sufficient rank spaces in the town. It will ensure that there is enough taxi transport provision for members of the public, and the trade can operate lawfully, with as much choice of pick up points as is possible. The proposed rank will accommodate 10 extra spaces.
- 1.6 If the recommendation is adopted it will mean that there are a total of 21 full time hackney carriage spaces available for use by the trade, in various locations around the town. There will be a further 3 evening rank spaces available thereby creating a total of 24 available spaces, which is an increase on the number that is available now which stands at 22 spaces. See **Appendix A** (map of proposed hackney carriage ranks)
- 1.7 Devon County Council considers the proposal as set out in the recommendation is the best option taking into account the limitation of locations for such ranks along with all the other changes in the rank structure that are due to occur with the regeneration work. There is no easy solution to the hackney carriage rank situation as the regeneration works have required compromise all round. It is considered that the proposals are a good compromise as they provide good locations in the middle of Exmouth from where the trade can operate.
- 1.8 If the new rank is approved by the Committee, legislation requires that a public notice be placed in a local newspaper in order to provide local residents and businesses with the opportunity to make representations in relation to the proposal. Representations must be made within a 28 day period from the date of publication. Should any objections be received and not withdrawn this item will need to be returned for reconsideration by members.
- 1.9 Paul Wilson, Traffic Engineer East for Devon County Council, or a representative from his department, will attend the Committee meeting on the day to explain the proposals and to answer any questions in relation to the regeneration scheme and taxi rank space proposals.
- 1.10 Consultation letters have been sent to the local taxi drivers who regularly use the ranks but in any case there has been an ongoing dialogue with the taxi trade in the town who are aware of the proposals. Letters have also been sent to Exmouth Town Council, TIC, the Chamber of Commerce, businesses and shop owners in the Strand including Arthur Jones (solicitors and estate agents), Clipper Bar, Bamboo Restaurant, Moores (Off Licence and Newsagents), Garners and the Steak House.
- 1.11 The Devon and Cornwall Constabulary have replied and there are no objections in relation to the proposals as outlined. Copy of E mail at **Appendix B**.
- 1.12 Should any more representations be received before the date of the meeting, copies will be made available to members on the day.

Legal Implications

The legal implications are set out within the report.

Financial Implications

Finance implications are set out in report.

Appendices

Appendix A DCC Map of Exmouth Town Centre showing locations of the proposed full time taxi ranks

Appendix B E. mail from Devon and Cornwall Constabulary.

Background Papers

Consultation letters sent to:

- Devon County Council (acting as the Highway Authority)
- Devon and Cornwall Police.
- Local Taxi Drivers
- Exmouth Town Council
- Chamber of Commerce
- Tourist Information Centre.
- Arthur Jones (Solicitors and Estate Agents)
- Clipper Bar
- Bamboo Restaurant
- Moores Off Licence and Newsagent
- Garners
- The Steak House

Douglas Jackson Ext. 2611
Licensing Officer

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