

Agenda Item 6

Licensing and Enforcement Committee

24 November 2009

DJ/JT



Proposed Permanent and Temporary Taxi Ranks for Exmouth Town

Summary

The Licensing and Enforcement Committee is asked to consider proposed temporary and full time changes to the Hackney Carriage ranks in Exmouth town. These changes are needed to accommodate the regeneration scheme for the town centre planned to commence in February 2010.

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 ranks in Exmouth:**
 - (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 2 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.
- 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.**

Recommendation (Continued)

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

Exmouth Town Centre is due for a regeneration scheme to commence in February 2010, with an anticipated finish in mid November 2010. As a result of this regeneration work, the main taxi rank in the Strand accommodating 15 vehicle spaces will not be available from the outset meaning the available ranks in the town will be greatly reduced. The siting of the new ranks proposed within this report will maintain the taxi rank numbers and give the licensed hackney carriage trade an alternative to trade whilst the regeneration work is being undertaken.

b) Alternative Options

Not to adopt the recommendation or to adopt only part of the proposal for use as hackney carriage ranks.

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 There are at present 22 taxi rank spaces in Exmouth situated through the town. In February 2010 the Exmouth regeneration scheme is due to commence with an anticipated completion date of mid November 2010. As a result of this, from the outset, the Strand

hackney carriage ranks will not be available for use by the taxi trade. This is a rank that can accommodate 15 taxis at anytime.

- 1.3 Alternative facilities are needed to accommodate the taxi trade whilst this work is in progress. Ensuring that they can continue with their lawful business with as many hackney spaces available as possible for use.
- 1.4 During the course of the works there will be many other temporary disruptions to the town centre infrastructure, i.e. building works, road closures, temporary one way systems etc.
- 1.5 At present there are hackney carriage ranks as follows in the Exmouth area
 - (a) The Strand 15 spaces
 - (b) Victoria Road 3 spaces
 - (c) The Esplanade 2 spaces
 - (d) Chapel Street 2 spaces

As part of the regeneration scheme the 15 spaces in the Strand will disappear. The rank in Victoria Road, which is currently regarded as a feeder rank for the Strand, will be reduced in size and position as the road layout is to be changed. Instead of accommodating 3 spaces it is proposed that the new rank will only accommodate 2 spaces. It is intended that the ranks currently located on the Esplanade (2 Spaces) and in Chapel Street (2 Spaces) will be retained and should be unaffected by the regeneration scheme.

- 1.6 It is proposed that new ranks be created 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 2 spaces
Restriction: No Waiting at Any Time except taxis.

A plan showing the location of the proposed permanent ranks in Exmouth Town Centre appears in this report as **Appendix A**. A plan showing the location of the proposed temporary rank in Rolle Street appears in this report at **Appendix D**.

- 1.7 The proposed rank in Rolle Street is intended as a stop gap while the regeneration work is carried out. On the conclusion of the works it is intended that permanent rank spaces will be allocated elsewhere in the town centre in an attempt to balance up the spaces lost whilst accommodating the regeneration work. When that happens the section of road where the planned temporary rank in Rolle Street is to be located will revert to on street parking. Negotiations are ongoing between the Exmouth Hackney Carriage Association, Devon County Council, as

the Highway Authority, and East Devon District Council to get the correct permanent balance of hackney carriage stands in the Exmouth area. A further report to seek approval of these additional spaces will be brought to the Committee in the New Year.

- 1.8 The other 3 proposed taxi ranks numbered 1.6(b), 1.6(c) and 1.6(d) (previous page) are intended to be permanent ranks and will remain in place at the conclusion of the regeneration works.
- 1.9 If this proposal is approved then during the period that the regeneration work is in progress the total number of new spaces made available will be **13** daytime/evening spaces and **3** evening spaces. The rank spaces in Chapel Street (**2 spaces**) and the Esplanade (**2 spaces**) are not affected by the regeneration scheme so will also be usable during this period. However at the commencement of the work a total of 16 other spaces will be lost as a result of the planned changes to the town centre (Strand rank – 15 spaces and Victoria Road rank a reduction of 1 space).
- 1.10 Both the Chapel Street and Esplanade ranks were originally authorised under byelaws agreed in 1988 although the position of the existing rank in Chapel Street does not match the original position agreed in 1988. The same 1988 byelaw also authorised the Strand rank which will disappear with the start of the regeneration scheme. In order to tidy up the various bits of legislation relating to the Exmouth ranks it is recommended that the Chapel Street and Esplanade ranks be reauthorised at the same time as the Committee agree the other rank proposals for Exmouth. Location plans of the Chapel Street and Esplanade ranks appear in this report as **Appendices B and C** respectively.

The description of the Chapel Street and Esplanade ranks appear below:

(a) Chapel Street – 24 Hour Rank

Western side of Chapel Street from its junction with Church Street for a distance of 13 metres in a northerly direction.

Rank creates 2 spaces

Restriction: No Waiting at Any Time except taxis.

(b) 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 creates 2 spaces

Restriction: No Waiting at Any Time except taxis.

- 1.11 Devon County Council considers the proposals as set out in the recommendation are the best option taking into account the limitation of locations for such ranks along with all the other changes that are due to occur with the regeneration work. There is no easy solution to the hackney carriage rank situation as everyone is going to be inconvenienced by the regeneration works. 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.
- 1.12 If the new ranks are approved by the Committee legislation requires that a public notice be placed in a local newspaper in order to provide local residents 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.
- 1.13 Mr Paul Wilson, Traffic Engineer East for Devon County Council, or a representative from his department, will attend the Committee meeting on the 24 November 2009 to explain the proposals and to answer any questions in relation to the regeneration scheme and taxi rank space proposals.

- 1.14 Consultation letters have been sent to the local taxi drivers who regularly use the ranks, Devon County Council, Exmouth Town Council, the Chamber of Commerce, the Tourist Information Board, the Devon and Cornwall Constabulary and the businesses located in the Rolle Street and Imperial Road area where the ranks are to be situated. There has also been consultation by DCC in relation to the whole of the regeneration scheme. An article, instigated by the Council's Licensing Office, outlining the taxi rank proposals has also appeared in a local newspaper.
- 1.15 The Devon and Cornwall Constabulary have replied and there are no objections in relation to the proposals as outlined. Copy of letter at **Appendix E**.
- 1.16 During the recent Taxi Proprietors' and Drivers' liaison meeting on the 26 October with the District Council chaired by Councillor Godbeer some members of the Exmouth taxi trade voiced concerns over the proposals. In particular there was concern that the proposed Rolle Street rank would cause congestion in the town centre. A suggestion was made that Victoria Road should be used to accommodate more rank space instead of using Rolle Street. Those present at the meeting were advised to make their representations in writing to the Council so the Committee could consider them on the 24 November 2009. Some of those present stated their intention of sending representations. At the time of finalising this report no representations have been received.
- 1.17 Should any representations be received before the 24 November 2009 copies will be made available to members at the meeting.

Legal Implications

The legal implications are as set out within the report and require no further comment.

Financial Implications

As these proposals leave the number of spaces relatively unchanged, there are no implications for increased or decrease in Licensing revenue.

Appendices

- Appendix A DCC Map of Exmouth Town Centre showing locations of the proposed full time taxi ranks
- Appendix B DCC Map showing location of Chapel Street taxi rank
- Appendix C DCC Map showing location of Esplanade taxi rank
- Appendix D DCC Map showing location of the proposed temporary taxi rank in Rolle Street
- Appendix E Letter from Devon and Cornwall Police

Background Papers

Consultation letters sent to:

- Exmouth Taxi Association
- Exmouth Town Council
- Devon & Cornwall Constabulary
- Exmouth Chamber of Commerce
- Local Exmouth Hackney Carriage Drivers
- Tourist Information Centre
- Devon County Council

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Licensing Officer

Licensing and Enforcement Committee
24 November 2009

