

Agenda Item 9

Licensing and Enforcement Committee

29 September 2009

Report Reference



Proposed New Taxi Ranks for Honiton Town

Summary

The Licensing and Enforcement Committee is asked to consider proposed changes to the Hackney Carriage ranks in Honiton town.

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 two areas on the northern side of the High Street, Honiton as taxi ranks. One rank for four vehicles being located 77 metres east of its junction with Dowell Street for a distance of 16 metres in an easterly direction and the other rank for three vehicles being located from a point 98 metres east of its junction with Dowell street for a distance of 10 metres in the same direction (easterly).
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 two ranks referred to in paragraph 1 of this recommendation will be deemed appointed.
4. That following the appointment of the two 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

Honiton currently has only one rank accommodating only two vehicles at a time. This is far fewer spaces than other comparable sized towns would normally host. As a result, the distribution of ranks in the town is non-existent. Because there are insufficient spaces on the rank to accommodate all the taxis needed to service Honiton many taxis are forced to double park in the High Street, park in ordinary parking spaces or even to park on double yellow lines. In the past the police have complained about taxis double parking in the High Street when the rank has been full.

b) Alternative Options

To leave the situation as it is or to adopt part of the proposed changes

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 operator's stations or depots.
- 1.2 The existing Hackney Carriage rank in Honiton is situated in High Street (on the southern side of the road). There are two spaces available at this rank, and potentially any Hackney Carriage licensed with this authority can use the rank in Honiton. In practice this is usually only used by the local taxis. These taxis are well used and offer a good service to local residents, both young and old.
- 1.3 Increasingly there have been complaints that the taxi rank space is inadequate, leading to overcrowding at the rank. There is no other rank in Honiton and therefore when that rank is full the taxi trade have little alternative option. There have been many occasions when taxis have had to double park or park on double yellow lines, causing traffic congestion and often breaking the parking laws. This leads to complaints from members of the public and the hackney drivers themselves.
- 1.4 Over many years there has been local resistance to increasing the number of rank spaces in the town although the need has been fairly obvious. The current Licensing Manager can recall attempting to broker a solution without success over ten years ago. Council Licensing Officers have been attempting to find a solution ever since.
- 1.5 During the last twelve months a further attempt was made to find a solution and Devon County Highways suggested an additional rank to accommodate two taxis on the north side of the High Street approximately three-car lengths west of the High Street/Silver Street junction. This met with very strong local opposition and subsequently this idea was abandoned.
- 1.6 Following the rejection of the proposal referred to in the last paragraph another solution has been identified with the help of Devon County Highways, the market traders and the Town Council. The area proposed is in the High Street near the Manor House and the Baptist Church. In effect it is proposed that there will be two ranks very close together and if approved would create 7 new spaces. A plan showing the proposed position of the two ranks can be found at **Appendix A** of this report. It is proposed that two ranks be provided on the north side of the High Street. One being located 77 metres east of its junction with Dowell Street for a distance of 16 metres in an easterly direction and the other from a point 98 metres east of its junction with Dowell street for a distance of 10 metres in the same direction (easterly). These locations are outside the Manor House and the Baptist Church respectively and comply with the conditions referred to in paragraph 1.1 above. Indeed a clear gap has been left between the two ranks for access to the Baptist Church.
- 1.7 If the proposal for the new ranks on the north side of the High Street are agreed the intention is that the existing two space hackney carriage rank, on the other side of the High Street would revert to

normal parking, and be available for use for market stalls on market days.

- 1.8 Currently the space proposed to be used for the two new ranks are used to accommodate market stalls on market days. However it understood that the market traders are supportive of the proposals in view of the intention to release the old rank for parking and the accommodation of stalls on market days.
- 1.9 Devon County Council considers this to be the best option taking into account the limitation of locations for such ranks. It is recognised there are other permutations for the use of the spaces identified but it is felt this is the most satisfactory solution to overcome the existing problems caused by insufficient taxi ranks.
- 1.10 If the new ranks are approved by the Committee, legislation requires that a notice be placed in a local newspaper in order that representations or objections can be made within a 28 day period from the date of publication (there is a cost implication of approx £600.00 for the cost of the advert). Should any objections be received and not withdrawn, this item will be returned for reconsideration by members.
- 1.11 In case he was able to assist members further Mr Paul Wilson, Traffic Engineer East for Devon County Council, was asked to attend the Committee meeting on the 29 September 2009. He is however unable to attend as he will be on leave.
- 1.12 Consultation letters were sent out to all local taxi drivers, Devon County Council, Honiton Town Council, Honiton street market, the Chamber of Commerce, the Devon and Cornwall Constabulary, the businesses located in the Manor House and the Baptist Church. The last two premises are adjacent to the location of the proposed ranks.
- 1.13 All the replies received have been positive with the exception of the one from the Honiton Osteopathic Centre, which operates from Manor House. Mr Douglas-Mort, who runs the practice, lists his objections, which can be read in his attached letter, (**Appendix I**). Briefly he is objecting on three grounds – (a) access to the church would be restricted – the church has written in support of the proposal (**Appendix F**), (b) taxis will cause a hazard turning at this location – both the police and the highway authority will have taken this into consideration but still support the proposal, (c) the ranks are too close to the Dowell Street junction – again both the police and the highway authority will have taken this into consideration but still support the proposal. Manor House is a small office block which accommodates several firms. They are - National Farmers Union, Beviss and Beckinsale Solicitors, Honiton Osteopathic Centre (the objector,) Somerset Care Homes and Findlay Butler.
- 1.14 There is a private car park at the rear of Manor House and Dowell Street car park (council owned) is only a very short distance beyond this.
- 1.15 The Devon and Cornwall Constabulary have no objections to the proposed ranks (**Appendix D**).
- 1.16 All the replies, with the one exception, have been in agreement with the proposals. This includes the Baptist Church (**Appendix F**).
- 1.17 All the replies are attached at **Appendix A to I**. If more responses are received they will be made available at the committee meeting.

Legal Implications

There are no legal issues requiring comment in this report.

Financial Implications

There are no budgetary considerations other than detailed in the report.

Appendices

- Appendix A Honiton Proposed Taxi ranks
- Appendix B Dimensions of proposed new taxi ranks
- Appendix C Honiton street market – stall layout
- Appendix D Letter from Devon and Cornwall Constabulary
- Appendix E Letter from Honiton Town Council
- Appendix F Letter from Honiton Baptist Church
- Appendix G E mail from Honiton District Chamber of Trade and Commerce
- Appendix H E mail from Mr Huffer, East Devon Taxi Association
- Appendix I Objection letter from Mr Douglas – Mort Honiton Osteopathic Centre Manor House

Background Papers

Consultation letters sent to:

- Honiton Baptist Church
- Honiton Town Council
- Devon & Cornwall Constabulary
- Honiton Chamber of Commerce
- All local Honiton hackney carriage drivers
- Manor House businesses
- Honiton Town Market.

Douglas Jackson
Licensing Officer

Licensing and Enforcement Committee
29 September 2009