

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Licensing and Regulatory Committee	<b>REPORT NUMBER:</b> <b>BLR/19/6</b>
<b>FROM:</b> Elizabeth Malvisi – Cabinet Member for Environment	<b>DATE OF MEETING:</b> 12 June 2020
<b>OFFICER:</b> Emma Richbell – Assistant Manager for Food, Safety and Licensing David Price – Licensing Officer	<b>KEY DECISION REF NO.</b> N/A

### PROVISION OF TAXI RANKS IN SUDBURY

#### 1. PURPOSE OF REPORT

- 1.1 This report is to appoint a new Hackney Carriage Stand (more commonly, and otherwise in this report, referred to as 'Taxi Ranks'), as required by Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 Part II, following the public consultation exercise, which the Licensing and Regulatory Committee approved at the Meeting on 14 February 2020.

#### 2. OPTIONS CONSIDERED

- 2.1 All options to be considered are contained within the recommendations below.

#### 3. RECOMMENDATIONS

- 3.1 That the Committee approve the appointment of the new Hackney Carriage Stand (rank) on King Street, Sudbury.
- 3.2 That the Committee authorise officers to make an Order appointing the Hackney Carriage Stand on King Street, Sudbury as detailed in Appendix A to this report.

#### REASON FOR DECISION

Creation of a new Hackney Carriage stand (rank) on King Street, Sudbury as part of the wider Suffolk County Council Highway's Traffic Regulation Order (TRO)

#### 4. KEY INFORMATION

- 4.1 Within the district there are currently three areas in Sudbury where appointed taxi ranks are located, these are on East Street, Old Market Place and at the Railway Station.
- 4.2 As with most District or Borough areas there is simply not enough town centre space available to provide a rank space for each licensed hackney carriage. However, this is mitigated by the ability for hackney carriages to form their own ranks, ply for hire, wait for business or be pre-booked anywhere in the controlled zone for which they are licensed. This is subject to relevant traffic controls. Mobile technology has also increased the versatility of hackney carriage proprietors who may be contacted direct, provided hands-free / Bluetooth whilst driving, to immediately collect a customer from a given location.

- 4.3 All licensed hackney carriage proprietors are encouraged to operate sensibly and flexibly, to ensure that the town centre traffic flow is not compromised by excessive queuing, or unlawful parking/waiting, of hackney carriages to access full ranks. Business diversification is also encouraged so that greater taxi links may be established in areas of the district beyond Sudbury town centre. Licensed taxis and private hire vehicles provide a valuable contribution to a safer/vibrant night-time economy, local business, school transport and event/tourist attraction support in the district.
- 4.4 The power for District Councils to appoint hackney carriage stands is contained in Section 63(1) of the Local Government (Miscellaneous Provisions) Act 1976. This legislation enables district councils for the purposes to appoint taxi ranks in any highway in the district that is maintainable at public expense, with the consent of the Highway Authority and with the consent of the owner, on any land in the district, which does not form part of a highway so maintainable. It also empowers such councils, from time to time to vary the number of taxis permitted to be at each rank.
- 4.5 Before creating any such rank, or varying the number of taxis allowed there, the District Council must give notice to the chief officer of police for the area, shall also give public notice of the proposal by advertisement in at least one local newspaper circulating in the district and consider any responses received as a result of this public consultation. This consultation process must allow a minimum of 28 days for people to respond.

## **5. LINKS TO JOINT STRATEGIC PLAN**

- 5.1 These licensing functions most closely align with -
- supporting businesses to thrive and grow, with a particular emphasis on smaller and start-up concerns;
  - encouraging employable skills (local transport and public service standards);
  - supporting safe and active communities; and
  - co-ordinating our approach to regulation with Suffolk County Council to minimise the burdens on local business (particularly through the safety and suitability arrangements the District/Boroughs have with the County with regard to school transport and social service contracts).

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The cost of providing the public notice necessary for commencement of the public consultation is contained within the fees collected as part of existing Licensing budget.

## **7. LEGAL IMPLICATIONS/RISK MANAGEMENT**

- 7.1 The same legislation that enables a taxi rank to be created also contains a prohibition on other vehicles parking on taxi ranks. Section 64(3) of the Local Government (Miscellaneous Provisions) Act 1976 creates the offence of causing any vehicle other than a hackney carriage to stop on part of a road appointed, or deemed to have been appointed, as a hackney carriage stand.

## **8. CONSULTATIONS**

- 8.1 Suffolk County Council (SCC) Highways section has already consulted the Licensing Team on changes being made to Sudbury and their creation of a Traffic Regulation Order ('TRO') is pending the decision of this Committee.
- 8.2 Suffolk Constabulary as a statutory consultee has been consulted on the creation of the taxi rank on King Street, Sudbury and have made no comments against the proposed creation of the rank.
- 8.3 The Statutory Public Notice was issued in the local press (East Anglian Daily Times – 5 March 2020 edition), a Notice was posted at the Council Offices and also Notices were placed at the customer access points within the districts to advertise the proposed hackney carriage rank, as required by Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 Part II.
- 8.4 There have been **no** responses to the taxi rank from the general public or licensed trade during the consultation period.

## **9. EQUALITY ANALYSIS**

- 10.1 There are no equality implications arising directly from this report.

## **10. ENVIRONMENTAL IMPLICATIONS**

- 10.1 There are no direct Environmental Implications arising from this report.

## **11. APPENDICES**

Title	Location
(a) SCC Highway's Plan of Market Hill area TRO showing the proposed new rank	Attached

## **12. BACKGROUND DOCUMENTS**

- 12.1 Town Police Clauses Act 1847
- 12.2 Local Government (Miscellaneous Provisions) Act 1976