

# **LICENSING COMMITTEE**

**14th July 2011**

## **PETITION – UNICORN HILL TAXI RANK**

Relevant Portfolio Holder	Councillor Juliet Brunner – Community Safety & Regulatory Services
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan, Head of Worcestershire Regulatory Services
Wards Affected	Abbey Ward
Key Decision / Non-Key Decision	

### **1. SUMMARY OF PROPOSALS**

To receive a petition requesting the re-siting of the Hackney Carriage rank on Unicorn Hill or restricting its hours of operation.

### **2. RECOMMENDATIONS**

**The Committee is asked to RECOMMEND that**

- 1) subject to Members' comments, no further action be taken for the reasons set out in the report;**

**and RESOLVE that**

- 2) the Petition and report be noted.**

### **3. KEY ISSUES**

#### **Financial Implications**

- 3.1 There are no financial implications if Members follow the recommendation for no further action. However, if the Committee decide to give the petition further consideration to relocate the Hackney Carriage rank costs of re-advertising, the full 12 week consultation and any changes to the rank, i.e. changes to road markings by the County Council etc would need to be taken into consideration.

#### **Legal Implications**

- 3.2 Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, the Borough Council may from time to time appoint stands (ranks) for Hackney Carriage 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

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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.

- 3.3 Before appointing any stand or varying the numbers to be at each stand, the Council is required to notify the Police for the areas in which the stands will be situated.
- 3.4 The Council is required to give public notice of the proposals by advertising in at least one local newspaper and take into consideration any objections or representations in respect of such proposals, which may be made to them in writing within 28 days of the first publication of the notice.
- 3.5 A District Council may not appoint a stand:
- a) so as unreasonably to prevent access to any premises;
  - b) so as to impeded the use of bus stops, or in such a position to interfere with access to any station or depot of any passenger road transport operations, except with the consent of those operators;
  - c) on any highway except with the consent of the Highways Authority.
- 3.6 It is necessary for ranks to be signed and the road marked out accordingly.

**Service/Operational Implications**

- 3.7 A petition was received by Overview and Scrutiny Committee on the 24th May 2011 from the Business Owners/traders located in Unicorn Hill, Redditch, whose concern is the detrimental effect on trade which has arisen since the siting of a taxi rank on the left side of Unicorn Hill (looking down the hill from the Churchyard).
- 3.8 The Overview and Scrutiny Committee on the 24th May 2011 referred the petition to the Council's Licensing Committee for further consideration.
- 3.9 The petition holds 13 signatures (available in background papers) and a copy of the petition prayer can be found at appendix 1.
- 3.10 Since the siting of the rank in 2003/2004 business owners/traders have raised their concerns twice; firstly during the consultation period 2003/2004 and again in August 2006 which was responded to by Officers.

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- 3.11 The petitioners are requesting that the rank either be moved or the hours of operation restricted.
- 3.12 Following receipt of the petition licensing staff conducted a short consultation exercise with the relevant agencies, West Mercia Police, West Mercia Road Traffic Management Police, Redditch Taxi Association (the trade) and the County Council.
- 3.13 It would appear the consensus amongst those consulted with, is that the current position/location of the Hackney Carriage rank on Unicorn Hill is the most ideal location to service travellers that side of the town. In the previous consultation during 2003/2004 the Highways Department advised that it is not legally possible to provide road markings for short term parking in the day time and a taxi rank at night due to the different road markings required.
- 3.14 The suggestion put forward within the prayer of petition to move the rank to perhaps the train station is untenable – the Local Authority has no right of access to Private Land and previous enquiries have resulted in a resounding “no” from the land owners.

**Customer / Equalities and Diversity Implications**

- 3.15 Any change to the Unicorn Hill Hackney Carriage rank will need to be advertised and go through a 12 week consultation process, prior to coming back before this Committee.

**4. RISK MANAGEMENT**

None.

**5. APPENDICES**

Appendix 1 - Petition

.Appendix 2 - Relevant Minute from Overview and Scrutiny Committee, 24th May 2011

**6. BACKGROUND PAPERS**

Previous reports regarding Unicorn Hill Hackney Carriage rank  
Previous briefing notes  
Previous Memorandum dated 24th August 2006

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