



Report to: Licensing and Environmental Health Committee, 7th March 2022

Report of: Head of Worcestershire Regulatory Services on Behalf of Worcester City Council

Subject: PROPOSAL TO APPOINT AN EVENING HACKNEY CARRIAGE STAND AT CATHEDRAL SQUARE

1. Recommendation

That Committee:

- 1.1 Note the contents of the report and the proposal to utilise Cathedral Square Bus Lay-by as a Hackney Carriage Stand, daily between 20:30hrs – 06:00hrs**
- 1.2 Approve the undertaking of a 28-day public consultation process in respect of the proposal outlined at recommendation 1.1**
- 1.3 Subject to a review of consultation feedback, delegate the Corporate Director of Operations, Homes & Communities in consultation with the Chair and Vice Chair of this Committee to make a final decision on implementation.**

2. Background

- 2.1 In 2014, Cathedral Square underwent a major development, as part of the City Centre Cathedral Square Enhancement Scheme. As a result of the scheme and to accommodate the creation of a new Cathedral Square Bus Layby, there was a need to remove and relocate the hackney carriage stand that was in place at that time.
- 2.2 Arrangements for the required scheme street works involved relocating the existing taxi stand on the then Cathedral Island, to a new location further along College Street. This resulted in the need to reduce the stand size at the new location, meaning that the new stand could only accommodate space for one hackney carriage vehicle.
- 2.3 Since that time Cathedral Square has developed into a thriving city centre location for both retail and hospitality premises, attracting an ever-increasing number of visitors, particularly in the evening. Over time the Council has become aware of the need to review the existing hackney carriage stand arrangements, mainly due to the increasing customer demand from evening visitors requiring transportation. In doing so it has been identified that there is now a need to consider new options, in order to facilitate additional hackney carriage vehicles to service this area of the City Centre.
- 2.4 In November 2021, representatives of Worcester's licensed taxi drivers and operators were invited to the Council's Taxi Forum Meeting, at which the issue of hackney

carriage rank space at the above location was discussed. The representatives present, informed officers that hackney carriage drivers were currently using the Cathedral Square bus stop in the evening, on an informal basis to both wait for and pick up passengers from that location, once the city's bus services had ceased operating.

- 2.5 Officers, following discussions with the trade representatives present at the meeting, agreed to liaise with Worcestershire County Council Highways and explore the option of utilising the Cathedral Square bus layby as a part-time official evening-morning hackney carriage stand, after the daytime bus services had ceased operating.
- 2.6 Liaison has since taken place with Worcestershire County Council's Traffic Engineering Team, who have confirmed that they have no objection to the Council's proposition to convert the bus layby in Cathedral Square into a dual use bus stop/taxi rank facility for four hackney carriage vehicle spaces. Plans provided by the Engineering Team detailing the exact location of the bus layby are attached at "**Appendix 1**".
- 2.7 It has been confirmed that the current bus stop serving Cathedral Square is not formalised through a Traffic Regulation Order (TRO) but rather is facilitated by the presence of the appropriate signs and road markings i.e. the upright 'No stopping except buses'. Helpfully therefore dual using the bus stop would not require a new TRO or application to amend an existing TRO, but instead requires the Council to follow the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1976 in order to appoint a stand for Hackney Carriages.
- 2.8 The County Council's Transport Network Development and Commissioning Manager, has further taken the time to liaise with the city's bus transport providers on this proposal, who have confirmed that they have no objections in principle with the proposed evening Taxi stand operating between the times of 20:30hrs to 06:00hrs.

3. Preferred Option

- 3.1 The provision of Hackney Carriage stands play an important part in ensuring that there are facilities for the supply and operation of taxis within the city and ensures adequate transport options for members of the public and the vulnerable in society, in popular and useful locations throughout the city.
- 3.2 There is currently a taxi rank in Cathedral Square, with space for only a single hackney carriage vehicle. This has proven to be inadequate since the development of the Square in 2014, due to the increased number of customers requiring hackney carriage vehicles from this location, during the evening and night-time hours.
- 3.3 The preferred option, is for this Committee to approve the undertaking of a 28 day public consultation exercise in respect of a proposal to utilise Cathedral Square Bus Lay-by as a Hackney Carriage Stand for four Hackney Carriage vehicle spaces, daily between 20:30hrs – 06:00hrs.
- 3.4 Furthermore the report seeks Committee's approval to delegate the final decision on implementation to The Corporate Director of Operations, Homes & Communities in consultation with the Chair & Vice Chair of this Committee (subject to review of consultation feedback) to avoid the need to wait until the next Committee (13th June 2022) for a final decision.

4. Alternative Options Considered

- 4.1 The option to take no action and simply leave in place the current informal working practice, of hackney carriage drivers waiting for and picking up passengers from the bus layby once bus services have ceased has been discounted. West Mercia Police have raised concerns with this practice, as it is not currently authorised under the existing "Bus Stop Clearway".
- 4.2 When discussing various taxi rank options for Cathedral Square, Officers considered the benefits of extending the operating times of the proposed rank to 18:00hrs and 07:00hrs. However, following further liaison with the County Council's Transport Network Development and Commissioning Manager, this option was discounted due to the negative impact it would inevitably have on the current and any possible future bus services, operating from the location.

5. Implications

Financial and Budgetary Implications

- 5.1 The costs associated with the public notice and other administrative costs will be met from existing budgets held by Worcestershire Regulatory Services. In the event that the proposed stand is appointed, the cost associated with any additional signage and road markings required has agreed to be met by Worcestershire County Council.

Legal and Governance Implications

- 5.2 Licensing Authorities have power under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to create, amend and revoke hackney carriage stands (ranks). This allows district councils to "appoint stands for Hackney Carriages" either on public highways or private land and the stands can be for either continual or part-time use.
- 5.3 Under the Local Government (Miscellaneous Provisions) Act 1976 s63 a district council is required to publish a notice in a local newspaper and wait 28 days from publication, after which Members will need to consider any written representations of objections made.
- 5.4 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand a district council is required to give notice to the chief officer of police. Additionally, a district council cannot create a hackney carriage stand:
- (a) so as unreasonably to prevent access to any premises.
 - (b) so as to impede the use of any points authorised to be used in connection with a local service within the meaning of the Transport Act 1985 or PSV operator's licence granted under the Public Passenger Vehicles Act 1981, as points for the taking up or setting down of passengers, or in such a position as to interfere unreasonably with access to any station or depot of any passenger road transport operators, except with the consent of those operators.
 - (c) on any highway except with the consent of the highway authority; the maximum number of permissible points has been reached, is taken at the appropriate level, based on the merits of each individual case.

Risk Implications

5.5 No risks have been identified with the proposal being put forward for consideration.

Corporate/Policy Implications

5.6 All regulatory policies relating to Environmental Health and Licensing approved by Worcester City Council should comply with the Regulators Code. The Regulators Code is made under the provisions of the Legislative and Regulatory Reform Act 2006. It seeks to promote proportionate, consistent, and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate.

5.7 Furthermore, providing this facility at Cathedral Square supports the Worcester City Plan in respect of 'A Heritage City for the 21st Century' and 'Sustaining and Improving our Assets' through providing a better experience for those using our City Centre, attracts more visitors and supports a mix of travel choices.

Equality Implications

5.8 The Licensing and Environmental Health Committee will ensure it has regard to the desirability of exercising its functions with regard to the need to eliminate discrimination and to increase equality of opportunity. On this occasion no Equality Implications have been identified.

Human Resources Implications

5.9 No Human Resources Implications have been identified.

Health and Safety Implications

5.10 No Health and Safety Implications have been identified.

Social, Environmental and Economic Implications

5.11 This proposal will provide taxi ranking facilities at a location which is currently already being used by members of the taxi trade on an informal basis, as it has been identified that there is a large customer base. This will undoubtedly be of benefit to members of the travelling public, night-time economy users, local businesses and Worcester's taxi trade.

Ward(s): Cathedral

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Background Papers: None