

Report of	Meeting	Date
Director of Early Intervention and Support	Licensing and Public Safety Committee	23 November 2016

CONSULTATION ON THE PART TIME RELOCATION OF THE HIGH STREET HACKNEY CARRIAGE RANK

PURPOSE OF REPORT

1. To update the Licensing and Public Safety Committee on the changes planned as part of the Market Walk Extension and wider town centre improvement; to set out the reasons for seeking to relocate the High Street taxi rank on Market days (Tuesdays); and to set out a consultation plan for approval.

RECOMMENDATION(S)

2. That the Licensing and Public Safety Committee are asked to:
 - a. note the update on the town centre improvements;
 - b. note the proposed changes requested by Chorley Council to the Traffic Regulation Orders (TRO's) regarding prohibition of vehicles and changes to loading bays on High Street and Cleveland Street, which are the responsibility of the Highways Authority; and
 - c. approve the plan to consult on the proposed changes to the High Street taxi rank location, which is the responsibility of the Licensing and Public Safety Committee under the provisions of Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

EXECUTIVE SUMMARY OF REPORT

3. Chorley town centre is about to undergo a significant programme of investment, which will include developing new retail and leisure units, a youth zone, extra care scheme as well as improving the public realm, developing additional car parking spaces, making improvements to crossing points, and relocating the Flat Iron market.
4. Prompted by the town centre changes this report seeks approval to commence with consultation regarding the relocation of the taxi rank on High Street on market days (Tuesday's) only.
5. Relocating the rank on Tuesdays between 6am and 6pm around the corner to Cleveland Street would enable Chorley's outdoor market to take place along High Street, in addition to a number of other pedestrianised streets in the town centre.
6. Chorley Markets are an important part of the town's history and economy and the Council wants to ensure that the markets continue to thrive well into the future. The changes proposed in this report would support all existing market stall holders both permanent and temporary to be offered a space.

7. In addition to the proposed changes to the hackney carriage rank location, there are a number of other changes to TRO's which would be required. These changes are a Highways Authority function under the Road Traffic Regulation Act 1984 and work is underway with LCC to progress this.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

8. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	✓
Clean, safe and healthy communities	✓	An ambitious council that does more to meet the needs of residents and the local area	✓

BACKGROUND

9. High Street, Chorley, has long been established as the principle location for the hire of hackney carriages in Chorley, and accommodates 5 taxis between Cleveland Street and New Market Street.
10. In 2003 the hackney carriage rank along the north side of High Street between its junctions with Cleveland Street and New Market Street was downgraded from a 24 hour rank to a day-time rank operating between the hours of 7.00am and 7.00pm.
11. In conjunction with this, a new 'evening' rank was appointed on the west side of Cleveland Street, between its junctions with High Street and Union Street. This rank currently accommodates 4 taxis, as one space was lost to the entrance of the new car park.
12. However, in 2006 the High Street rank was re-appointed a 24 hour rank due to both the public and taxi drivers' preference for continuing to operate informally along the north side of High Street, and also due to concerns about the potential conflict between taxis and members of the public late at night not being realised. The evening rank in Cleveland Street was retained with a view to testing the compatibility of two evening ranks within close proximity. The current ranks are shown in Appendix A.
13. Also within a report submitted to Licensing & Safety Committee in July 2006 it was noted that there was a general problem relating to the occasional parking of vehicles on the hackney carriage rank and as such a prohibition of vehicular waiting was imposed by the Lancashire Highways Authority under the Road Traffic Regulation Act 1984. This was to address a general problem relating to the occasional parking of vehicles on the hackney carriage rank.

TOWN CENTRE IMPROVEMENTS

14. In September 2016, the Council as landowner gave approval to proceed with the development of a seven unit extension to Market Walk. This approval is subject to achieving 75 per cent pre let agreements and work is ongoing to achieve this, but with firm interest in 80 per cent of the units it is anticipated the target will be achieved in the next few months.

15. The extension, which will be built on the eastern side of the Flat Iron car park, necessitates the temporary relocation of the Flat Iron Market which is held on the western side of the car park every Tuesday.
16. A report carried out by an independent markets consultant in 2015 recommended moving the market during the construction period, to pedestrianised areas in the town centre. Based on evidence of other markets in pedestrianised areas the temporary move is expected to have a positive impact on the market and surrounding shops.
17. Public consultation on the relocation of the markets has been held over the last month, from the 4th October to the 6th November with over 200 online responses as well as feedback which has been collected during a number of face to face consultation sessions and briefings.
18. The original plan included the closure of Market Street to accommodate a number of market stalls but feedback that has been received during the consultation has led to alternative options being considered.
19. The current proposal shown in Appendix B would see market stalls located throughout the town centre, including High Street, New Market Street, Market Place, Fazakerley Street, Chapel Street, and Cleveland Street. In terms of timescale it is currently estimated that the market will need to be relocated from Easter 2017.
20. The introduction of market stalls onto High Street on market day (Tuesday) would necessitate the temporary relocation of the taxi rank from High Street. It is proposed that instead taxis could operate from around the corner on Cleveland Street where there is an existing evening rank, and it is proposed to carry out a consultation on that basis.
21. This proposal is being considered due to its location close to the existing market site and taxi rank and it will ensure that all existing permanent stall holders can have a position, as well as accommodating the current levels of casual traders.
22. It should be noted that in addition to the change in the appointments of the hackney carriage ranks under the provisions of Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, the proposal would also be subject to changes to the prohibition of vehicles waiting on Cleveland Street which will need to be amended by the Highways authority through a TRO.
23. The proposals will also require negotiations with market walk tenants who are serviced from the service yard at the end of High Street. They will be asked to make alternative arrangements for servicing their stores on Tuesdays. Letters have already been sent out to those affected and feedback so far suggests that alternative arrangements can be made by the tenants.
24. Additionally there is a loading bay along the south side of High Street which is used by local businesses. If market stalls are located in High Street, then to maintain the flow of traffic the loading bay would not be usable on Market days.
25. It is therefore proposed to establish a loading bay along the east side of Cleveland Street on Market day. This change would also be subject to a TRO which is the responsibility of the highways authority.

PROPOSED CONSULTATION PLAN

26. Subject to approval, it is proposed to commence public consultation on the proposed changes to the hackney carriage rank from the 24th November for a period of eight weeks, up until the 22nd January 2017.
27. During this period face to face consultation will take place with members of the Licensing Liaison Panel (LLP). Any suggested for alternative options for relocating the rank will be considered, in a similar way to the feedback we received on the market relocation, which has led to changes to the plans.
28. Following this consultation period the findings of the consultation, together with any updated plans regarding the taxi ranks will be brought back to the Licensing and Public Safety Committee meeting on the 1st February 2017.
29. Again, subject to approval, notice of the changes will be issued and a 28 day statutory consultation period will commence with our partners and relevant authorities (Lancashire constabulary and LCC). A notice must also be placed in the local press. LCC is much more than a consultee since its consent is required to appoint any hackney stand on a highway.
30. Following the notice period and subject to any objections being raised a final report and recommendations will be brought back to the Licensing and Public Safety Committee for final approval. The aim would be to have approval in place in advance of the Markets relocation which in Easter 2017.
31. In parallel with this process we will be working with LCC to make amendments to a number of TRO's in the town centre, including changing the prohibition of vehicles waiting, and changes to loading bays which will also be required in order to enable a market to be located along High Street on one day per week.
32. It is acknowledged that the TRO process may take up to a year, which extends beyond the timescales in which the markets would be relocated. During this period it is hoped that an agreement can be reached with LCC regarding the enforcement of the existing RTO's.

IMPLICATIONS OF REPORT

26. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	✓	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

27. ***

COMMENTS OF THE MONITORING OFFICER

28. The Council has power to appoint, revoke and alter any hackney carriage stands under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976. The proposal is subject to notice being served on the police with 28 days to make representations and notice in the local press.

29. A hackney stand may not be located where it would impede access to bus stops or unreasonably impede access to premises
30. The 1976 Act does not prescribe any legal formalities for documenting the appointment of a hackney rank although some authorities formalise the appointment in the form of an order. The stand must be marked out in accordance with the Traffic Signs Regulations and General Directions 2002.
31. Stands may be created for the whole or any part of a day.
32. If any part of the proposed new rank overlaps with private land then consent of the landowner is required.
33. If the stand is on a highway then consent of the Highways Authority is required. Chorley therefore does not have complete control over the appointment but instead it is subject to a veto in favour of County Highways. Whilst officers at LCC may be sympathetic to the proposal it is essential to obtain consent in good time in accordance with LCC's scheme of delegation. If consent can only be granted by elected county councillors then officers at LCC should be asked to progress this to fit with Chorley Council's timetable.
34. Orders made or revoked under the Road Traffic Regulation Act 1984 are a function discharged by the Highways Authority by Lancashire County Council (LCC). As such the authority to revoke or make new orders and the timetable for their implementation is outside the control of Chorley Council although it may seek to sponsor any changes and persuade LCC to introduce them.

JAMIE CARSON
DIRECTOR OF EARLY INTERVENTION

Background Papers			
Document	Date	File	Place of Inspection
Future development options for Chorley's Flat Iron Market	5 May 2015		
Report to Licensing & Safety Committee	19 July 2006		

Report Author	Ext	Date	Doc ID
Rebecca Huddleston	5779	08/11/16	Taxi rank relocation