1. Purpose of Report  
1.1 To authorise officers to commence steps for the creation of new hackney carriage stands.

2. Executive Summary  
2.1 There is a need to provide additional stands for hackney carriages to serve the night-time economy.  
2.2 The current stands in St Mary’s Street are too far away to service customer demand.  
2.3 The only other stand in Silver Street is not available to the hackney carriages due to public parking and lack of enforcement.

3. Background  
3.1 There is currently only one all-day Council provided hackney carriage stand; St Mary’s Street and one night-time only stand in Silver Street.  
3.2 There is an additional private stand at Lincoln Central Railway Station provided and maintained by East Midland Trains.  
3.3 In the past, there was a stand on Newland between the junction with Wigford Way and Lucy Tower Street, but this is no longer in use and even if re-instated not convenient for current needs.  
3.4 The night-time economy is centred on the High Street above the Stonebow, along Guildhall Street and Saltergate; Park Street and Brayford Wharf North.  
3.5 The night-time stand is not regularly used by the hackney carriage drivers as it is normally inaccessible due TO private cars illegally parked. The stand complies with the road signage regulations being correctly lined and signed, therefore enforcement action against parking could be taken.  
3.6 This rank is close to a private hire operator’s office, Direct Cars which is only a few metres away and if used could cause confusion and confrontation with hirers.  
3.7 The Council’s Bye-laws require drivers to return to a rank if they are not hired. Because of the inaccessibility of Silver Street rank, this means returning to St Mary Street, out of reach of the night-time economy.
3.8 District councils are allowed to appoint stands for hackney carriage vehicles. Stands that are so appointed have to be on highways that are maintainable at the public expense.

3.9 Stands can be appointed on private land with the consent of the landowner, but this forms no part of this report as there is no suitable land.

3.10 The appointment of stands can be done in a number of ways but usually they are done through section 63 Local Government (Miscellaneous Provisions) Act 1976 using Traffic Regulation Orders (TROs).

3.11 The council is required to obtain the permission of the highways authority and it would be them that arranged the TROs or Experimental TROs. Early reading of the available literature would indicate an Experimental TRO would be the easiest way.

3.12 The appointing of stands is by no means a simple operation and requires consultation with the public, frontagers and the police of the proposed stands, production and publication of plans, and permission of the highway authority, the hearing of any objections or representations and legal advice.

3.13 This clearly requires a considerable proportion of officer time, both by this council but also the highway authority and at the moment an unknown expense.

3.14 It is therefore prudent to obtain the views of the Licensing Committee and early advice from the statutory bodies etc before embarking on what could be an expensive exercise.

3.15 The city requires a profitable and successful hackney carriage trade as well as a thriving private hire operation to meet the varying needs of the travelling public.

3.16 Hackney carriages are convenient as they can be hired immediately or hailed from the street. Additionally, they are, with the exception of one (soon to be two) all capable of carry wheelchairs and have easy access to those with other issues of mobility.

3.17 As stated earlier the existing stands are not placed conveniently to cater for the needs of the public as the business district has moved.

3.18 It is accepted that there is no opportunity to create new all-day stands within the area without impacting on short-term parking or the frontagers’ interests, but this will have to be considered when the new transport hub is being built as there is likely to be displacement in St Mary’s Street and the railway station.

3.19 If the trade cannot remain viable, then there is a danger that some will go out of business and the facility will be lost to the city’s residents and visitors.

3.20 Through officers’ knowledge of the night-time economy several possible sites have been identified for part-time, night-time stands:
   1. The section of limited parking on the south side of Clasketgate from it junction with Butchery Court to the approach to the High Street traffic lights; or
   2. The section of limited parking on south side of Corporation Street west of the
junction with High Street; and
3. The limited parking on the east side of Mint Lane outside Home night-club.

3.21 One piece of limited parking on the north side of St Swithin’s Square outside the church has been identified as a possible all-day stand. There are very few frontaggers and there is ample near-by limited parking in Free School Lane and St Rumbold Street and pay parking on Broadgate and Silver Street/Free School Lane.

3.22 Although the latter is relatively short for an all-day stand, it would have the additional advantage of relieving the pressure on St Mary Street due to competition for work.

3.23 All the identified locations appear to be safe for a stand, they only permit ingress/egress from the nearside and the night-time locations are in one-way streets. The proposed all-day is on a wide two-way road.

3.24 There is a private hire operator on Clasketgate and consideration of this would have to be taken into account should the option for creating a stand on Clasketgate be considered.

3.25 The only means of transport out of the City ends mid-evening and earlier for outlying villages so transport depends on the hackney carriage and private hire trade.

4. Strategic Priorities

4.1 Growing the local economy

4.1.1 The current stands on St Mary’s Street, both Council and Railway stands are heavily dependent on rail passengers. There is very little passing trade as there are no popular commercial premises nearby to attract potential customers.

4.1.2 The growth in mobile communication and social media encourages hirers to the use private hire in favour of public hire.

4.1.3 The night-time economy is concentrated away from the current stands and the lack of opportunity to compete with private hire within is depressing the hackney carriage trade.

4.1.4 A thriving public transport system is an attraction to business and a depressed hackney carriage trade would not help the local economy.

4.1.5 If the hackney carriages could stand in areas easily accessible to the night-time economy they may be more prepared to work evenings/nights to cater for the trade. The increased availability of public transport may increase the numbers taking advantage of the night-time offers and thus increase the economy even further.

4.2 Fit for purpose Council

4.2.1 The hackney carriage trade has the majority of vehicles wheelchair accessible
and all have easy access for those with other mobility issues.

4.2.2 The hackney carriages provide public transport for the disabled groups and encouraging the trade will ensure the Council is playing its part in helping wherever possible.

4.3 Organisational Impacts

4.3.1 This is not known at the time of writing the report. There is no experience within the City Council of creating stands to gauge the impact.

4.4 Finance

4.4.1 The final cost of providing the stands can be recovered from the hackney carriage licence fee. Section 70(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 permits a district council to charge such fees for the grant of vehicle as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part:

(b) the reasonable cost of providing hackney carriage stands;

4.4.2 It may therefore mean that vehicle licence fees are increased to cover these costs in part.

4.4.3 At stage any cost to the Authority cannot be quantified, however any cost would have to met from existing budgets.

5. Legal Implications including Procurement Rules

5.1 Legal

5.1.1 There are many legal issues to resolve, some of which the Highways Authority can deal with in respect of the issuing of TROs. The City of Lincoln Bye-laws covering hackney carriages will need to be scrutinised to ensure they remain fit for purpose.

5.2 Human Resources

5.2.1 Again, the amount of work involved has not been determined so it is not possible to give an estimate of resources except to say, it will be within the legal and licensing areas.

5.3 Significant Community Impact

5.3.1 Nil

5.4 Risk Implications

5.4.1 (i) Options Explored

a) Leaving the stands as they are – loss of amenity, probable loss of hackney carriages and public transport.

b) Leaving stands as they are – drivers will rank up illegally and become
uncontrollable. Increases enforcement burden which may mean reduction in other services provided by the licensing team.

c) Create new stands to increase the availability of public transport.

5.4.2 ii) Key risks associated with the preferred approach

Non currently identified.

6. Results of Consultation above

6.1 Jeanne Gibson of Lincolnshire County Council Highways, “I would suggest sites 1 and 2 [Clasketgate and Corporation Street] are the best options. Mint Street draws traffic through Hungate where I believe a lot of pedestrians congregate, unless something has changed. Success of any proposal to change the traffic orders to provide night time taxi ranks will rely on objections being overruled by the County Council's Planning and Regulation Committee. On the face of it, it would seem that objections would be unlikely but I suspect there may be some. Enforcement of the existing and any new ranks is an issue but this can be targeted to these areas and at specific times if pre-arranged with our enforcement contractor. The more bays there are the more it justifies additional resource to enforce.”

6.2 Inspector Pat Coates, Lincolnshire Police City Centre Sector, “From the Police perspective we would support any additional Taxi provision for the NTE to assist with dispersing people from the City Centre more effectively. The only comment I would make is that the proposed one on Clasketgate would be nearly opposite Handsome Cabs which would add to that congestion and may get confusing for people. I would prefer the other 2 suggested locations ideally.”

7. Recommendation

7.1 Members are asked to consider authorising officers to investigate the creation of new stands.

Key Decision

Do the Exempt Information Categories Apply? No

Call in and Urgency: Is the decision one to which Rule 15 of the Scrutiny Procedure Rules apply? No

How many appendices does the report contain?

Appendix A Letter David Smalley
Appendix B Road plan Clasketgate/Corporation Street
Appendix C Photograph of limited parking bay Clasketgate
Appendix D Photograph of limited parking bay Corporation Street
Appendix E  Road plan Mint Lane
Appendix F  Photograph of limited parking bay
            Mint Lane
Appendix G  Road plan St Swithin’s Square
Appendix H  Photograph of limited parking bay
            St Swithin’s Square

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