

TONBRIDGE & MALLING BOROUGH COUNCIL

LICENSING & APPEALS COMMITTEE

3 August 2009

Report of the Central Services Director

Part 1- Public

Delegated

1 AMENDMENTS TO HACKNEY CARRIAGE STANDS IN TONBRIDGE

1.1 Introduction

- 1.1.1 For some time there have been problems in the Waterloo Road area of Tonbridge, particularly at peak travel times, as a result of more taxis trying to access the existing stand than it can currently accommodate. Some taxi drivers who are unable to fit on the rank have chosen to wait in unauthorised locations such as on street at the rear of the hackney stand or in the car park of Lidl's supermarket. As a result a number of complaints have been received about engine fumes, background noise and general disturbance, notably from the residents of Old Wells House.
- 1.1.2 Coincidentally, Officers were made aware that KCC Highways in conjunction with Network Rail were planning some improvements around the entrance to Tonbridge Station to improve pedestrian safety. These works are scheduled to take place on Network Rail land during this financial year and would result in the loss of two spaces for taxis immediately to the south of the Station entrance. The Borough Council cannot prevent the loss of these spaces, which are rented from Network Rail and, in view of the safety concerns, Members may wish to express support for this aspect of the County's highway scheme.
- 1.1.3 In order to address both of these two issues a number of proposals were considered. An informal meeting was quickly convened by Borough Council Officers with representatives of KCC to which representatives of the taxi trade in Tonbridge were invited. This meeting considered a number of options and the proposals before the Committee were felt to be the best options available.

1.2 The Proposals

- 1.2.1 A copy of the proposed order is attached to this report as Annex 1. The number of spaces in Waterloo Road is to be increased from 11 to 21. This is achieved mainly by doubling the width of the rank as shown on the plan at Annex 2. A new rank for 9 taxis is proposed on Station Approach to the north of the station entrance as

shown on Annex 3. An additional 11 spaces are created around the Town Centre at various locations as shown on the plans in Annexes 4 – 8.

- 1.2.2 In order to comply with the requirements of the law an advertisement was placed in a local newspaper (Kent on Sunday) giving a minimum period of 28 days consultation and the County Council and the Police were notified. In addition to this statutory requirement Officers also extended the consultation to include all licensed taxi drivers affected, residents and businesses in the area of the changes in Waterloo Road and the businesses on Station Approach. Copies of the proposed order were also posted in Waterloo Road, Station Approach and outside the railway station. An information report was also added to the agenda of the recent meeting of the Area 1 Planning Committee. A letter was also sent to Sir John Stanley. All of these additional steps were taken to ensure maximum publicity for the scheme in the time available.
- 1.2.3 Whilst the 11 spaces around the Town will provide some benefit the main purpose of these proposals is to relieve the problems around the Station. With two stands available to the public, one each on either side of the entrance, it is expected that pedestrian movements will be eased. Additionally, there is more capacity in Waterloo Road and, therefore, less likelihood of taxis having to wait illegally beyond the end of the rank. This is coupled with the existence of the new ranks in Station Approach and elsewhere which should encourage taxi drivers to move on from Waterloo Road, if the rank is full, in anticipation of finding business on a different rank.
- 1.2.4 The changes in the area of the Station are proposed on a trial basis of 12 months. On introduction of the new ranks additional enforcement will take place to reinforce the need for all licensed drivers to comply with the requirements of the law. Any drivers not complying fully with the requirements of the hackney carriage legislation and the new arrangements on the ranks will be reported and risk losing their licence. It is expected that the relevant works will be completed in August. The whole project will be delivered as one (ie the KCC proposals and the alteration to the taxi ranks) and that the window to do this is very limited. If it doesn't go ahead then there is no guarantee that any alternative proposals can be delivered to relieve the problems experienced by local residents.

1.3 Representations

- 1.3.1 A number of comments on the proposals have been received. As the period of consultation does not expire until after the deadline for publication of the agenda for this meeting a full list of all comments received will be presented to the Committee on the night. The Committee must take into account all representations received before deciding how to proceed with this proposal. Of paramount concern for the Members of the Committee will be the safety of the new ranks to be created. Kent Highway Services are conducting a full safety audit on behalf of the Borough Council and the results will be reported to the meeting.

- 1.3.2 In deciding whether or not to proceed with this proposal the Committee have no consideration other than to have reasonable regard to the representations made. The order proposed may be accepted in whole or in part or may be rejected. It is good practice for the Committee to provide some reasons for its decision.

1.4 Legal Implications

- 1.4.1 The Council's powers to create hackney stands derive from s. 63 Local Government (Miscellaneous Provisions) Act 1976.

1.5 Financial and Value for Money Considerations

- 1.5.1 The works necessary to implement the scheme are within the County Highways budget and the bulk of the cost will be borne by KCC. The cost to the Borough Council relates to officer time which is within established budgets.

1.6 Risk Assessment

- 1.6.1 If the proposals are not adopted then a nett loss of two hackney spaces will occur once the Kent highway improvements are carried out. This will only lead to an increase in problems for residents in Waterloo Road. In addition, if amendments are made at a later date that cost will need to be met by the Borough Council.

1.7 Recommendations

- 1.7.1 The Committee are asked to determine the proposal taking into account all representations received.

Background papers:

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Nil

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