

**Wards Affected:***All Wards***Review of Hackney Carriage Ranks**

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**Executive Summary**

Hackney carriages licensed by Milton Keynes Council ("the Council") are permitted to ply for hire from and wait on a hackney carriage stands appointed by the Council for that purpose. The hackney carriage trade have raised a number of concerns about the stands (also referred to as ranks). The Regulatory Committee ("the Committee") considered a report at its 8 July 2015 meeting which outlined the concerns and confirmed that a further report outlining any necessary actions would be presented back to the Committee. This report details the Taxi Licensing Services ("TLS") findings following a review of the ranks, the actions already taken and those proposed to be taken.

**1. Recommendation(s)**

1.1 That the Actions detailed in 2:12 of this report are noted and approved.

**2. Issues**

- 2.1 Hackney carriages vehicles are able to legally "ply for hire". This means that they are available to members of the public, for immediate hire, either by being hailed or flagged down in a public road or from a rank. Due to the nature of the Milton Keynes area and its grid roads system, hackney carriages pick up very few members of the public from being hailed in the street and would, therefore, be significantly undermined without the ability to be able to ply for hire from ranks.
- 2.2 Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") permits the Council to appoint hackney carriage stands within its area. The Act does not positively require the Council to adopt hackney carriage stands but their provision can offer convenience to members of the public as part of a well-managed and sustainable transport infrastructure.
- 2.3 Stands that have been appointed under the Act must be marked out and signed in accordance with the Traffic Signs Regulations and General Directions 2002 (the "Regulations"). A taxi stand is defined by the Regulations as an "area of carriageway reserved for use by Taxi's waiting to pick up passengers".
- 2.4 In order to enforce the stands the Council must ensure that they have been adopted by the Council and the signs comply with the regulations. A number of

offences can be committed in respect of the ranks – either by hackney carriages or by vehicles that are not hackney carriages.

- 2.5 The local trade have raised issues about the ranks to Officers of the Council on a number of occasions. Due to unique nature of ranks aspects of the administration of the hackney carriage stands have been dealt with by different departments of the Council over a number of years.
- 2.6 For instance the ranks play a part in the transport provision of Milton Keynes and require consideration by the planning and transport policy service, the signage of the ranks and the roads on which they sit falls within the remit of the highways department and the enforcement of the ranks is dealt with by the Taxi licensing Enforcement Team and in some cases civil enforcement officers. The adoption, creation and administering of the ranks has in the past fallen within the remit of the Taxi Licensing Service, the Transport Sub-Committee, the legal department and the highways department.
- 2.7 The result of this is that there have been regular queries made to the Council about the ranks, how they have been adopted, administered and marked out and the trade have never felt that their concerns have been resolved.
- 2.8 Following this review and considering the thoughts of the trade the predominant issues can be split into the following three categories:
- 1. What ranks have been adopted by, and are enforceable by, the Council.**
  - 2. Is the signage displayed at the ranks correct.**
  - 3. Are the ranks appropriate for the Trade.**
- 2.9 The first two above are legal requirements. If the ranks have not been adopted correctly or not signed correctly then they cannot be enforced by the Council. However, in respect of the third, the Council has no duty to ensure that the ranks are appropriate for the trade. It would of course undermine the use of hackney carriages as a part of the local transport provision if the Council did not give thought to the appropriateness of the ranks and this is therefore an important consideration.
- 2.10 Some of the concerns raised about the ranks relate to the concerns from the hackney trade that they are losing work to private hire vehicles. The Council has no duty to either assist or prohibit either private hire or hackney carriage vehicles to carry out their business but should take steps if the rank provision is resulting confusion that puts public safety at risk.
- 2.11 Having reviewed the ranks, the historical provisions and Traffic Regulation Orders (TRO's) the following matters have been found:
- 1) Some of the ranks used by the trade are not ranks adopted by the Council.
  - 2) The ranks that have been adopted by the Council are all signed correctly.
  - 3) Some of the ranks are used so infrequently there may not be any need for them.
  - 4) Some of the ranks that are used are not adopted by the Council and are not official ranks.

- 5) Some of the ranks that have been adopted have logistical difficulties which cause concern to the trade.

2.12 Attached to this report as Annex A is a breakdown of all the ranks and the individual considerations of each and should be read in conjunction with this report. The Taxi Licensing Service does not consider that there is anything that it can do to resolve the issues presented to it by the trade but proposes to take, (or in some instances has already taken) the following actions, to support the hackney carriage trade.

- 1) An email has been sent to the transport, transport planning policy and highways departments to remind them of the need for including the trade in their decisions, to consult with the trade where decisions are made affecting ranks or to consider the need for future ranks in areas of high footfall which may replace them. It is has been suggested to them that they can attend the Councils Taxi forum if necessary.
- 2) An email has been sent to the Council's transport, transport planning policy and highways departments to ask them, during their reviews of transport provisions, to:
  - a. Reconsider the layout of the rank outside Jury's Inn.
  - b. Reconsider the design and layout of the rank at the Point in central Milton Keynes.
  - c. To consider the need for the ranks at Marks & Spencer's, City Square, Theatre District and Queensway, Bletchley (both are considered unnecessary by the trade and the demand survey of 2014 showed little if any use of them).
- 3) An enquiry has been made to the owners of the Xscape with regards to the unofficial rank at the front of the Xscape building (outside KFC) with a view to its management and whether formal adoption by the Council is necessary. If it should transpire that this rank could be adopted (and be enforced) by the Council the existing rank at the Xscape building could be reverted to parking spaces. Signage could then be ensured to be legally compliant.
- 4) An enquiry has been made to National Express regarding the Coachway to express the concerns over the rank provision at that site with a view to the Council formally adopting a Coachway Rank. It should be noted that, despite the rank used at the Coachway not being formally adopted the trade have made the best of this situation with either the express or implied consent of the Coachway. Whilst the Council could adopt a rank any physical alterations would need to be covered by the Coachway which they may not be willing to do.
- 5) A letter has been sent to the management of Milton Keynes Central Train Station enquiring if the signage inside the station could be improved to reduce the risk of passengers approaching private hire vehicles without pre-booking them.

2.13 Any changes to occur to the ranks will not be done without consultation with the trade and where appropriate updates will be given at the Taxi forum.

### **3. Options**

3.1 To approve the actions stated in paragraph 2:12 this report in line with the recommendation stated in 1.1 above.

3.2 To not follow the recommendation above.

#### 4. Implications

##### 4.1 Policy

4.1.1 Paragraph 11.1.1 of the Council's Statement of Taxi Licensing Policy states that ranks designated within the Milton Keynes area will be "clearly; properly and appropriately signed."

4.1.2 Appendix L of the Councils Policy lists the ranks in use in the area.

##### 4.2 Resource and Risk

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

##### 4.3 Carbon and Energy Management

None

##### 4.4 Legal

Section 63 of The Local Government (Miscellaneous) Provisions Act 1976 permit the Council to adopt Hackney Carriage ranks and enforce them.

##### Other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

##### Background Papers:

A Transport Vision and Strategy for Milton Keynes, Local Transport Plan 3, 2011-2031

Milton Keynes – hackney Carriage unmet demand survey 2014. Published in November 2014 by Vector transport consultancy.