

Name of meeting: Licensing and Safety Committee
Date: 18th July 2017
Title of report: Batley Market Place Taxi Rank
Purpose of report: To make a decision on the ranks operating hours and amount of vehicles

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Key Decision - No Private Report/Private Appendix - No
The Decision - Is it eligible for call in by Scrutiny?	Not applicable
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance, IT and Transformational Services Is it also signed off by the Service Director Legal Governance and Commissioning	Naz Parkar - 06.07.17 Not applicable Julie Muscroft - 06.07.17
Cabinet member portfolio	Not Applicable

Electoral wards affected: Batley East
Ward councillors consulted: Batley East
Public or private: Public

1. Summary

A night time rank for 2 vehicles was in place on Batley Market Place until 2015. In 2015 representations were made by the trade requesting more provisions in this area for hackney carriages. They proposed increasing the amount of vehicles to 5 allowed to stand here and turning it from a night time rank (18:00 to 08:00) to 24 hours a day. Following implementation of this, the licensing authority has received representations from Ward Councillors and members of the trade to say that the changes to the rank are adversely affecting access to the businesses in the area due to the reduction in parking spaces for the businesses and public. These representations have claimed that the rank is not regularly used and have requested that the details of the rank revert back to being a night time rank and reduce the amount of vehicles to 2.

2. Information required to take a decision

Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, a district council may from time to time appoint stands for hackney carriages for the whole or any part of a day in any highway in the district which is maintainable at the public expense and, with the consent of the owner, on any land in the district which does not form part of a highway so maintainable and may from time to time vary the number of hackney carriages permitted to be at each stand.

Nothing in Section 63 shall empower a district council to appoint any such 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 'bus 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; and in deciding the position of stands a district council shall have regard to the position of any bus stops for the time being in use.

Hackney Carriage stands are an important feature of trade and modern life and their existence and use is often the subject of consideration. On occasion stands can give rise to issues of congestion or complaints of obstruction of access to premises such as in this case.

To ensure that stands work correctly local authorities should assess whether stands are in the right place and whether the restrictions in place are appropriate or changes are required.

- 2.1 A petition was received from the trade signed by 30 licensed drivers. It cannot be established on what date this was received however it is believed to be 2015. The petition requests the extra provisions on the existing rank at Market Place Batley. A copy of the petition can be seen at appendix A
- 2.2 An advert was placed in The Batley News on 19th November 2015 stating the Council's intentions to make the changes to this rank.
- 2.3 The rank changes were carried out in early 2016 and so has been in operation for 19 months.
- 2.4 Concerns from members of the trade and their representatives were made to the authority about the changes to the rank and the impact they were having on local businesses and their parking arrangements.
- 2.5 Due to the number of concerns raised to the Council about this rank an informal consultation was done with Hackney Carriage licence holders, local businesses and ward Councillors for the area as well as Councillor Cathy Scott as the Chair of the Licensing and Safety Committee. The consultation papers can be seen at appendix B with the responses at appendix C.

Members are requested to consider the report and appendixes and taking account of the information review the current operation of the stand and decide whether it should be varied.

The options available to committee are:

- For the rank to remain as it is now; for 5 vehicles and 24 hours a day
- For the rank to revert back to how it operated previously which was for 2 vehicles between the hours of 18.00 and 08.00
- That the rank space be reduced to accommodate 2 vehicles, operating 24 hours a day
- The committee may see fit to make an alternative decision that would see the rank operate differently from the three options above.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

N/A

3.2 Economic Resilience (ER)

N/A

3.3 Improving outcomes for Children

N/A

3.4 Reducing demand of services

N/A

4. Consultees and their opinions

- **Hackney Carriage Licence holders**

1 verbal response from Mr Shariff requesting that the rank remain as it is currently is.

1 response (appendix C) from Mr Badat requesting that the rank go back to 2 vehicles at night time only (from 18:00).

- **Ward members including Chair of the Licensing Committee**

Councillor Fadia has stated that the rank should return to being for 2 vehicles at night time only.

Councillor Scott has stated that the rank should accommodate a maximum of 2 vehicles and that if it is reduced to 2 vehicles then she would be happy for the rank to be in place for 24 hours.

5. Next steps

Once a decision has been made by the committee the necessary processes will take place to implement the decision if it is changed from its current state.

6. Officer recommendations and reasons

The decision is for members of the committee to make.

7. Cabinet portfolio holder's recommendations

8. Contact officer

Victoria Thomson, Senior Licensing Officer, Kirklees Licensing Service

Tel: 01484 221000

Email: victoria.thomson@kirklees.gov.uk

9. Background Papers and History of Decisions

Contained in this report.

10. Assistant Director responsible

Joanne Bartholomew, Service Director – Commercial, Regulatory and Operational Services

Tel: 01484 221000

Email: joanne.bartholomew@kirklees.gov.uk

Petition

Request for taxi ranks time change on Market Place, Henrietta Street and train station
Batley to 24 hours and request for two taxi parking bays at Batley Tesco.

We, the undersigned request that the times be changed to 24 hours for the above mentioned sites and we also request to have two parking bays allocated for Hackney Carriage drivers so that the customers can be picked up safely from Tesco in Batley.

Name	Badge Number	Plate Number	Signature
ISMAIL CHOPDAT	DR0781	197	
AMAR HASSAIN	DR.3274.	130-	
PAIYAL SIKHAKIT	DR 4520	180	
M A LAHER	0504	57	
A.K.PATHAN	1471	145	
SARFARAZ	DR6019	12	
M. ILTAF	DR.0992	85	
M. Siddiq	517	10	
ASAD DQIL.	3153.	76	
M. LOONAT	00047	04	
M. SHARAF	518	12	
M. TARIQ	520	1521	
Sajid Sharif	DR 3292	48	

Name	Badge Number	Plate Number	Signature
Mohammed Liaqat	DR0834	86	M. Liaqat
ZULFIKAR ALI	DR 0712	184	Z. Ali
KAMRAN ZAHA	DR5797	113	K. Zaha
EBRAHIM SALLOO	DR0089	156	E. Salloo
MUHAMMAD A. RAJAT	DR0765	148	M. A. Rajat
KHULUS AZIZ	DR4215	100	K. Aziz
ISHFAQ AHMED	DR 6015	43	I. Ahmed
ABDUL HABIB	DR 492	108	A. Habib
YUSUF DAWJEE	DR293	68	Y. Dawjee
ALLAH DITTA	DR0238	150	ALLAH DITTA
ZAID HANIF	DR 0976	22	Z. Hanif
EBRAHIM SALLOO	DR. 119.	125-	E. Salloo
MUHAMMAD ARIEF	DR4909	91	M. Arief
HASSAN	DR0480 Kohal	16	H. Kohal
YUSUF LORRAT	DR. 0486	139.	Y. Lorrat
SADAY ALI	DR 06915	83	S. Ali
NAZIR BULSARI	DR 0366	103	N. Bulsari

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APPENDIX B

Dear Councillors,

Following recent complaints about the operation of the hackney carriage rank at Market Place, Batley, we are looking at whether any changes need to be made to the operation of the rank in order to resolve the issues being reported to us.

As part of this process we would like your views, as Ward Councillors, on the rank and how it currently operates; in particular we seek your views on:-

- The operational hours of the rank – currently the rank is allowed to operate 24 hours
- The number of vehicles permitted – currently the rank is for 5 vehicles

We will also be seeking the views of the Hackney Carriage Trade and the business directly affected by the rank.

If possible please could you let me have your views, by return email, by Friday 14th April 2017.

Kind Regards

Victoria Thomson

Senior Licensing Officer

Kirklees Council

Place Directorate

E: Councillor.EnquiriesPlace@kirklees.gov.uk

APPENDIX B

Licensing Department

Flint Street Depot

Flint Street

Fartown

Huddersfield HD1 6LG

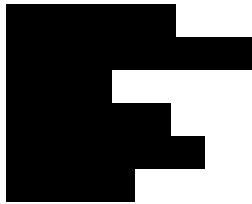
Tel: 01484 456868

Fax: 01484 456857

Web - www.kirklees.gov.uk

Email - licensing@kirklees.gov.uk

March 20, 2017



Dear Mr [REDACTED]

Hackney Carriage Vehicle Licence No: [REDACTED]

Rank at Batley Market Place

Following recent complaints about the operation of the hackney carriage rank at Market Place, Batley, we are looking at whether any changes need to be made to the operation of the rank in order to resolve the issues being reported to us.

As part of this process we would like your views, as hackney carriage drivers on the rank and how it currently operates; in particular we seek your views on:-

- The operational hours of the rank - currently the rank is allowed to operate 24 hours
- The number of vehicles permitted - currently the rank is for 5 vehicles

We will also be seeking the views of the local businesses and the local Councillors directly affected by the rank.

If possible please could you let me have your views, by return email, by Friday 14th April 2017 - Victoria.thomson@kirklees.gov.uk

Yours Sincerely

Victoria Thomson
Senior Licensing Officer

APPENDIX C

From: Cllr Fazila Fadia
Sent: 14 April 2017 22:10
To: Councillor EnquiriesPlace
Subject: RE: Consultation With Batley East Councillors and Cllr Scott

Hi Victoria,

I too, have had many residents and several local businesses complaining about the Hackney rank at Market Place. My views:

- The rank should not be allowed to be operate from here 24hrs
- It should be changed back to as it was to only after 6pm.
- Max of 2 vehicles should be allowed.
- There are plenty of ranks within few min walking distance. 1 rank at Henrietta St and another on Commercial Street
- Not that much business has ever warranted 5 Vehicles at Market Place.

Kind Regards
Cllr Fazila Fadia

APPENDIX C

From: Cllr Cathy Scott
Sent: 20 March 2017 13:51
To: Councillor EnquiriesPlace
Subject: RE: Consultation With Batley East Councillors and Cllr Scott

Hi Victoria

I'm unsure whether you wish my comments. I am not a Batley East Councillor however I am a Batley East resident.

Many thanks for your email. In respect of the Market Place parking. I am asking for this to be **reduced from 5** to what it was before. If the reduction is down to 2 cars I am happy for 24 Hour parking.

This will assist local businesses who have complained about the parking issue having an impact on them.

Regards

Cathy

APPENDIX C

From Akooji (23/03/17)
To Victoria kmc taxi licensing
To Batley 3 Cllr's and Cathy

Thanks for your response saying you won't be coming to our meeting on 3rd April
My 3 Batley east cllr's confirmed they would be attending BUT since neither you or Cathy (chair) or
Highways haven't responded then we will Cancel the meeting.

Please note simple proposal would be supported by all

1. To shorten the rank to 2 places from currently 5 and leave it but this market place is utilised very much by shoppers and also after 6pm by customers to chacha takeaway plus town hall etc
2. Move the rank as a 24 hour existing for 2 cars only straight opposite to Oakwel cars office as the Oakwel cars office is not manned any more and has s button outside to press.
Most of the walking trade is from bus station area, Asda, Iceland, etc. And customers wanting cheaper taxis would always wait for Oakwel but hackney taxis need work.
3. Straight opposite Oakwel office is HOME DECOR who's proprietor informed me he would be happy with 2 car rank, plus all the market side traders would be suited.
3. I've explained this to my 3 ward cllr's who are also happy with this proposal which should be happy medium for all except probably Oakwel cars proprietors who are mainly private hire benefits from should be hackney trade ...



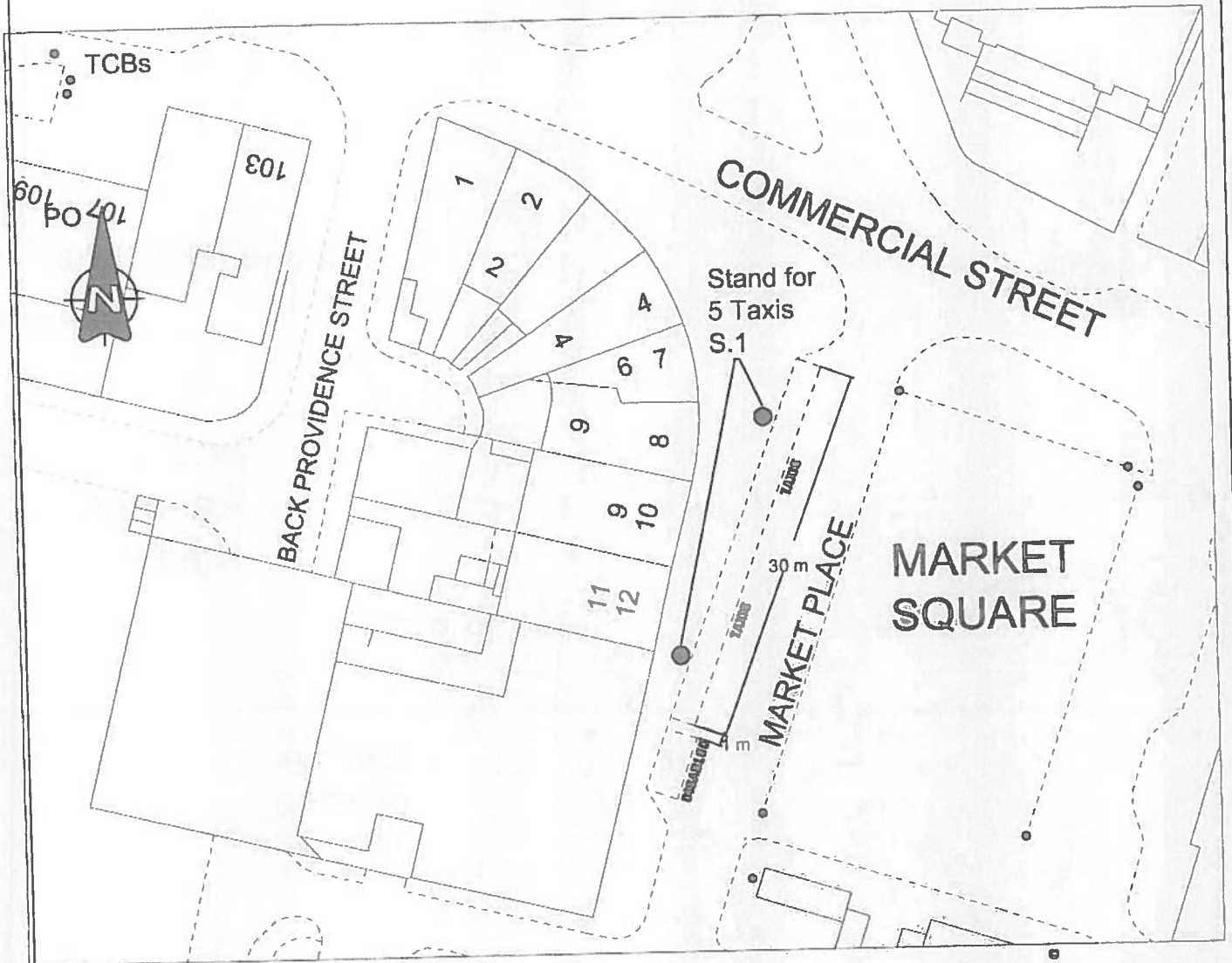
Please note my views are trying to be fair to all parties and not just hackney trade but for visitors to very loved our batley

Regards
Akooji



Grey

S.1



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Streetscene & Housing
Flint Street, Fartown
Huddersfield, HD1 6LG

Provision of a Taxi Stand for 5
Taxis

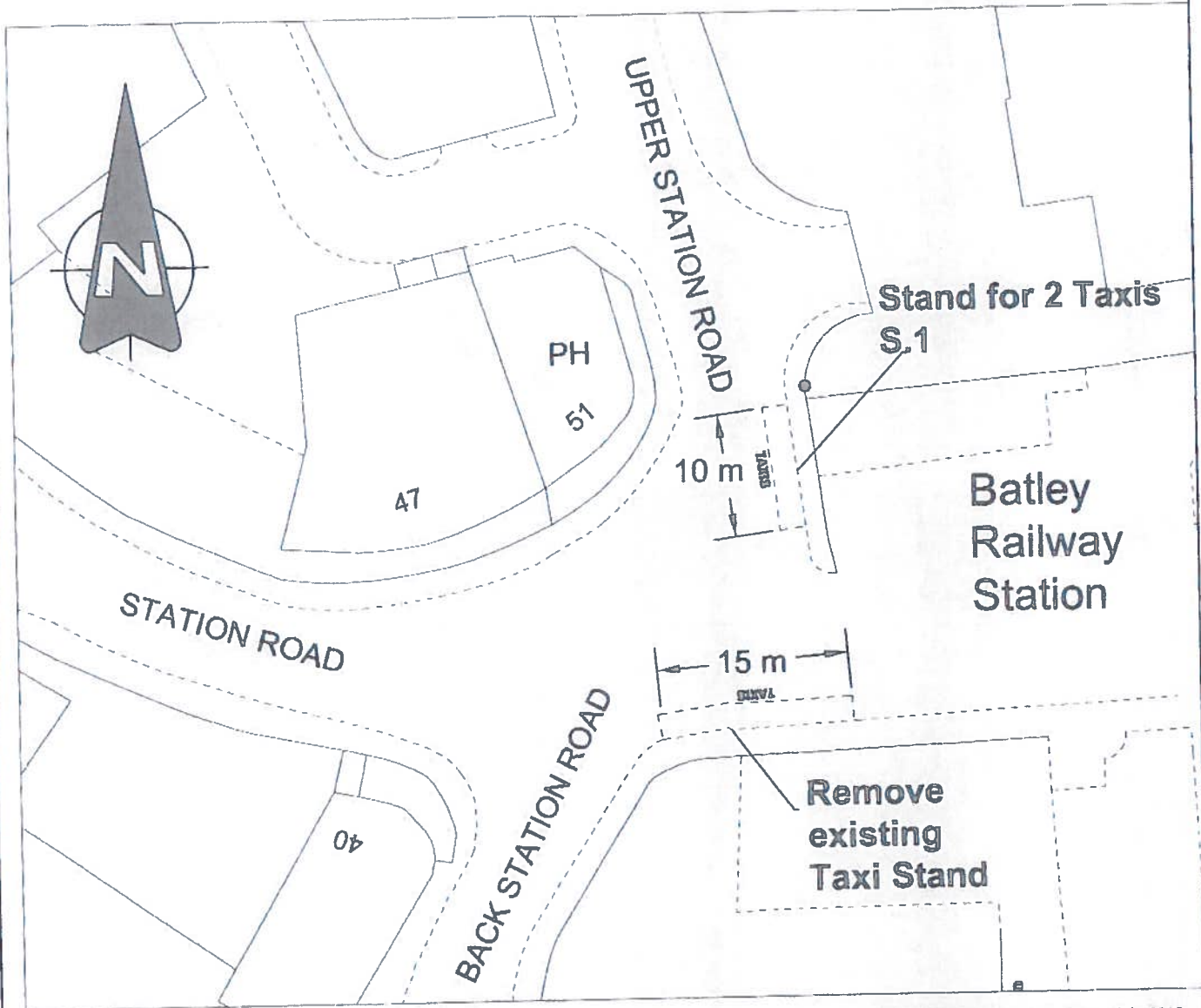
Market Place, Batley

Scale
1:500

Drawn AES	Checked
Section Safety	Date Oct 2015
Drawing No TF/03/200/250	



S.1



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Streetscene & Housing
Flint Street, Fartown
Huddersfield, HD1 6LG

Provision of New Taxi Stand
for 2 Taxis & Removal of existing
Taxi Stand

Upper Station Road &
Station Road, Batley

Scale	
1:500	
Drawn AES	Checked
Section Safety	Date Oct 2015
Drawing No TF/03/200/248	