

Agenda



PUBLIC PROTECTION COMMITTEE

Date:	Tuesday, 13 October 2015 at 2:00pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	Councillor Angela Jacques (Chairman) Councillor Barbara Nash (Vice-Chairman) Councillors Frank Andrews, Jan Barker, Keith Beckett ISO, Brenda Blackshaw, Alan Clayton, Gail Goodman JP, Shirley Green, Peter Hardy, Neil Harvey.

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 23 July 2015 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24(c).	1
	DECISION ITEMS	
4	Application for Private Hire Driver Licence - DCH	3 - 8
5	Dicconson Terrace / Henry Street Hackney Carriage Stands	9 - 21

Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

The code of conduct for members can be found in the council's constitution at
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	13 OCTOBER 2015	4

APPLICATION FOR PRIVATE HIRE DRIVER LICENCE - DCH

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Following an application made to the Licensing Team for the grant of a Private Hire Driver's Licence, the Committee is requested to consider the application and determine if they consider the applicant fit and proper to hold such a licence.

RECOMMENDATION

That the Committee considers the report and determines the application.

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)		To Encourage Cohesive Communities (People)	
To Promote a Thriving Economy (Prosperity)		To Meet Expectations of our Customers (Performance)	✓

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this application.

REPORT

1. An application has been made by DCH for the grant of a Private Hire Driver's licence.
2. In accordance with the standard procedure for all applications, the applicant was requested to submit a Criminal Records Bureau check and undergo a medical examination.
3. The applicant declared a conviction from 2011, which has been confirmed on the Disclosure Certificate. In those circumstances, an application is referred to the committee rather than being dealt with under officers' delegated powers. Details of the conviction will be provided at the meeting.
4. Section 51(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states that, "a district council shall not grant a licence to drive a private hire vehicle unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence."
5. Appendix F of the Council's Statement of Taxi and Private Hire Licensing Policy, which was current at the time of application, concerning the 'Relevance of Convictions to Applications' is attached for member's information and use.
6. The applicant has been invited to attend the hearing to assist the committee and the committee is therefore asked to determine the application.

IMPLICATIONS	
Finance	There are no implications arising directly from the report.
Legal	The Committee should have regard to the requirements of fairness and proportionality and to the European Convention on Human Rights in reaching its decision. Where the council has adopted a policy which applies to a particular matter, it must take the policy into account when making its decision. Although it is not bound to follow the policy, any decision that is contrary to it should be supported and explained by clear and adequate reasons for departing from the policy.
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	TEL	DATE	DOC ID
Chris Hambly	01253 658422	24 September 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Hire Licensing Policy	2006	http://www.fylde.gov.uk/business/licensing/taxilicensing/

Attached documents

1. Appendix F of Hackney Carriage and Private Hire Licensing Policy

APPENDIX F

RELEVANCE OF CONVICTIONS TO APPLICATIONS

The following guidelines will be used to determine the relevance of criminal convictions in relation to applications for hackney carriage and private hire driver's licences. In so stating, this Authority has adopted the guidelines set out in the DOT Circular 2/92 and HO Circular 13/92, subject to certain limited modifications.

General Policy

1. Each application will be determined on its own merits.
2. A person with a current conviction for serious crime need not be permanently barred from obtaining a licence but will be expected to remain free of conviction for 3 to 5 years, according to the circumstances of the offence, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public.
3. Listed below are some general principles relating to the determination of applications for drivers and operators of hackney carriages and private hire vehicles which will generally be followed where convictions are admitted.

3.1 Minor Traffic Offences

Convictions for minor traffic offences e.g. obstruction, waiting in a restricted street, speeding etc will not prevent a person from proceeding with an application. Multiple occurrences of similar current offences, however, merit the issue of a warning as to future driving standards. If sufficient penalty points have been accrued to require a period of disqualification of the applicant's driving licence then a hackney carriage or private hire vehicle driver's licence may be granted after the restoration of the DVLA driving licence, but only after a period of 12 months has elapsed since the expiry of the disqualification or from the date of any subsequent conviction. A warning will, however, be given about future driving standards.

In circumstances where a driver acquires 12 or more penalty points on his DVLA driving licence but is not disqualified from driving because of the mitigating circumstances put before the magistrates' court, the driver's hackney carriage or private hire licence may still be revoked or suspended. Such a matter will always be dealt with by way of a disciplinary hearing (see Appendix M).

3.2 Major Motoring Offences

An isolated conviction for reckless driving or driving without due care and attention etc will normally merit a warning as to future driving and advice on the standard expected of hackney carriage and PHV drivers. More than one conviction for this type of offence within the last 2 years will normally merit refusal with no further application then being considered until a period of 1 to 3 years free from convictions has elapsed. A single conviction for causing death by careless driving or by dangerous driving will be reported to the Public

Protection Committee for determination on the merits of the case.

3.3 Applications where Minor Traffic Offences are not Declared

Where an applicant has failed to disclose one or more of the offences mentioned above on their application form but such offences are subsequently uncovered during a DVLA check or by any other means, the licensing officer may, if he thinks fit, still issue the licence subject to a warning regarding future conduct. If, however, he considers that there was a premeditated intent to deceive, he will normally refer the matter to the Public Protection Committee to be dealt with by way of a disciplinary hearing (see Appendix M).

3.4 Drunkenness

3.4.1 With a motor vehicle

A serious view will be taken of convictions of driving or being in charge of a vehicle whilst under the influence of drink. Where a disqualification has been imposed as a result of a drink-driving offence, an application will generally be refused unless a period of 5 years free of conviction has passed since the return of the DVLA licence. More than one conviction for such offences will raise grave doubts as to the applicant's fitness to hold a licence and will normally require at least a 10 year clear period from conviction before an application is likely to be considered favourably. If there is any suggestion that the applicant is an alcoholic, a special medical examination will be arranged before the application is entertained. If the applicant is found to be an alcoholic, a period of 5 years must elapse after treatment is complete before a further licence application is considered.

3.4.2 Not in a motor vehicle

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of convictions for drunkenness could indicate a medical problem necessitating critical examination (see (i) above). In some cases, a warning may be sufficient.

3.5 Drugs

An applicant with a conviction for a drug related offence is required to show a period of at least 3 years free of convictions before an application is entertained or 5 years after detoxification treatment if he/she was an addict.

3.6 Sexual or Indecency Offences

The drivers of hackney carriages and private hire vehicles often carry passengers who are alone or may be vulnerable. Applicants who have convictions for rape, indecent assault, any sexual offence involving children or other vulnerable victims or any conviction for an offence under the Sexual Offences Act 2003, will, therefore normally be refused a licence. No application will be considered from a person currently on the Sex Offender's Register. Where an applicant has a conviction for a lesser sexual offence, such as indecent exposure, they will normally be refused a licence until they can show a substantial period, usually at least 5 years, free of any such convictions from the date of conviction or the date of release from jail where a custodial sentence has been imposed. More than one conviction of this kind will raise grave doubts as to the applicant's fitness to hold a licence and will normally require at least a 10 year clear period from conviction before an application is likely to be considered favourably. In all cases, consideration will be given to the circumstances of the offence and any evidence to show that an applicant is a fit and proper person to hold a licence. When considering applications, the Council may take into account any information of a sexual nature which does not amount to a criminal offence that is brought to its attention where that information may indicate that an applicant may not be a fit and proper person to hold a licence.

3.7 Violence

As hackney carriage and PHV drivers maintain close contact with the public, a firm line will be taken with applicants who have convictions for offences involving violence. Applicants with a conviction or caution for grievous bodily harm, wounding, serious assault, possession of a dangerous weapon or other serious offence involving violence or where the offence involved loss of life, will normally be refused a licence. At least 5 years free of such conviction or caution, from either the date of conviction or caution, or from completion of any custodial sentence imposed, which ever is the latter must be shown before an application is entertained and even then careful consideration will be given to the circumstances of the offence and a strict warning will be administered. Convictions for minor violence related offences, e.g. threatening, abusive or insulting behaviour will not necessarily prevent a person from proceeding with an application. In deciding whether to grant such an application the authority will consider the nature of the offence, how long ago it was and what age the applicant was when it was committed and any other factors, which may be relevant.

3.8 Dishonesty

Hackney carriage and PHV drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for dishonest drivers to defraud the public, for example, by demanding more than the legal fare. Overseas visitors can be confused by the change in currency and become 'fair game' for an unscrupulous driver. For these reasons a serious view will be taken of any convictions involving dishonesty. In general, a period of 5 years free of convictions will be required before an application is entertained.

3.9 Persistent Criminality

Due to the potential risks to the public, applications from persons with a persistent record of criminality, where the record suggests a persistent lack of regard for the well-being of others or for their property rights, would normally be refused.

3.10 Other Offences and special circumstances

If the applicant has declared any other offences not listed above or the circumstances of the case justify it, the licensing officer will, if he considers it appropriate, refer the application to the Public Protection Committee for determination.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	13 OCTOBER 2015	5

DICCONSON TERRACE/HENRY STREET HACKNEY CARRIAGE STANDS

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

Under the previous administration, the Public Protection recommended, and the Portfolio Holder for Social Wellbeing approved the appointment of new hackney carriage stands on Dicconson Terrace and Henry Street, Lytham

The purpose of the report is to advise the Committee of a number of issues affecting the stand and a request to relocate them.

RECOMMENDATION

1. That the Committee considers the report and determines whether to:
 - a) Leave the stands in their current location and seek to further encourage the public from parking on them during the evenings, or
 - b) Commence a consultation exercise with a view to relocating the stands to the north side of Dicconson Terrace.

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)		To Encourage Cohesive Communities (People)	✓
To Promote a Thriving Economy (Prosperity)	✓	To Meet Expectations of our Customers (Performance)	✓

SUMMARY OF PREVIOUS DECISIONS

Minutes of the previous meetings relating to the stand are attached.

REPORT

1. In 2014, following the increase in popularity of licensed premises on Henry Street, Lytham it was felt that the existing hackney carriage stand arrangements were insufficient and double parking by the hackney carriage drivers was leading to significant congestion of Dicconson Terrace and Henry Street.
2. As such, the Portfolio Holder for Social Wellbeing approved the appointment of a new stand on Henry St and a feeder stand on Dicconson Terrace. It should be noted that is the Officer's opinion that the new stands have actually achieved their intention in that they have resolved the issue of congestion.
3. However, a number of complaints regarding the stands have been received from both the drivers and a resident of Dicconson Terrace.
4. The resident complains that the vehicles are now parked outside her property late at night causing nuisance and annoyance and affecting her quality of life. The resident is supported in this claim by other residents on the west side of street who also comment that the drivers frequently park on the "H" bars at the end of the stand, and they have asked whether alternative options could be explored in terms of the stand location.
5. The hackney carriage drivers complain that the stand is frequently obstructed by private motorists, and that the drivers are being verbally abused and threatened when they point out to motorists they are parked on a stand.
6. Lancashire Parking Services have attended the stand on some occasions and have taken the appropriate enforcement action. Officers are currently working with Lancashire Parking Services to achieve an enhanced presence on the street, however the stand continues to be obstructed.
7. Officers have attempted to increase awareness of the stand via press releases, placing "no waiting" cones on the stand most evenings and placing additional signage over and above the statutory requirement. The Police are also assisting and the possibility of placing "flyers" in the area is being assessed.
8. The actual design of the stand is not helpful in clearly identifying it as a taxi rank. As it is a shared bay in that it is for restricted parking between 0800 and 1800, a taxi stand between 1800 and 0300 and unrestricted between 0300 and 0800, the road markings are white and the road is not marked with "Taxi". It is however correctly marked for enforcement purposes.
9. The Chairman of the Public Protection Committee, Ward Councillors and Officers met with the residents, business owners, Police and a taxi representative to discuss the matter and were requested to consider the possibility of relocating the stands to the east side of Dicconson Terrace.
10. The Police and Lancashire County Council Highways Department have been consulted regarding this and provisionally have no objections.
11. However, whilst the relocation of the stand may address the concerns of the residents, the remaining issues may simply be transferred to the other side of the street and there will

continue to be some noise from engines and persons boarding the vehicles. There are also residents in the properties above the Assembly Rooms and the issue of private motorists parking on the stand may still continue.

12. As such, the Committee is therefore requested to note the report and determine whether to continue with the existing ranking arrangements whilst seeking to dissuade private motorists from parking on the stand or, commence a consultation with a view to appointing a new hackney carriage stand on the east side of Dicconson Terrace for a distance of 15.25 from a point 65m south of its junction with Clifton St to a point 17m north of its junction with West Beach.

IMPLICATIONS	
Finance	Should the Committee recommend the relocation of the stand, there would be a cost for advertising and road marking which will be met from existing budgets.
Legal	There are no implications arising directly from the report.
Community Safety	Hackney Carriage stands play a vital role in the removing of persons from Town Centres, particularly late at night and by placing at places of public resort should facilitate a speedier removal of taxi customers.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	TEL	DATE	DOC ID
Chris Hambly	01253 658422	30 September 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
PPC minutes	19/3/14	www.fylde.gov.uk

Attached documents

- Appendix 1 Public Protection Minutes 19th March 2014
Appendix 2 Portfolio Holder Decision
Appendix 3 Map showing location of stands

Minutes

Public Protection Committee



Date:	Wednesday, 19 March 2014
Venue:	Town Hall, St Annes
Committee members:	<p>Councillor Angela Jacques (Chairman)</p> <p>Councillor Dawn Prestwich (Vice-Chairman)</p> <p>Councillors Frank Andrews, Susan Ashton, Keith Beckett, Alan Clayton, John Davies, Tony Ford, Ken Hopwood, Barbara Nash.</p>
Other councillors:	Councillor Christine Akeroyd
Officers:	Ian Curtis, Chris Hambly, Sharon Wadsworth
Other attendees:	AM and two other members of the public and press.

1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. Councillor Angela Jacques declared a personal interest in Item 4 on the agenda, in that she was a member of the Lytham St Annes Art Society.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Public Protection Committee meeting held on 11 December 2013 as a correct record for signature by the Chairman.

3. Substitute members

The following substitutions were reported under Council procedure rule 23(c):

Councillor Susan Ashton for Councillor Christine Akeroyd.

4. Street Trading Consent.

Chris Hambly, Principal Licensing Officer, advised members that the Licensing team had received an application submitted by Lytham St Annes Art Society for a Street Trading consent for the area in front of Ashton Gardens/St Georges Road Gates on the 14th and 15th June 2014. The application

related to an open air art exhibition in which paintings by local artists were displayed and offered for sale.

Similar applications had been granted in 2012 and 2013 and no issues had arisen as a result of the exhibitions.

The application fell to be considered against the following policy adopted in January 2010:

- i) Consents would only be issued for specific events which had a tangible and measurable benefit to the Fylde, its residents and businesses.
- ii) Applications for consents should not be for the financial benefit of individuals at the expense of local residents or businesses. Priority should be given to local traders.
- iii) No consent should be granted for a type of trading which the Committee consider would detract from the Borough's "classic resort" status.

Councillor Ford asked whether future similar applications could be dealt with under delegated powers instead of coming to the committee each year. Ian Curtis, Head of Governance, confirmed that they could be if the committee wished.

It was RESOLVED to approve the application and to delegate authority to approve future applications for street trading consent made by the Lytham St Annes Art Society in relation to their annual art exhibition at Ashton Gardens/St Georges Road gates to the Director of Resources.

5. Appointment of Hackney Carriage Stands.

Mr Hambly presented the report regarding the existing night time hackney carriage stand on Henry Street, Lytham. Since its introduction, this rank had become the busiest stand in the Borough. Due to the number of persons attending licensed premises on Henry Street the stand was no longer suitable as sufficient vehicles could not be accommodated leading to double parking and obstruction of Dicconson Terrace. An alternative to the existing stand had been identified and the Committee was requested to consider the options.

Mr Hambly confirmed that a public notice would be issued and that occupier of the residential property at number 2 Dicconson Terrace would be consulted separately as a matter of courtesy.

After discussion, it was RESOLVED to recommend to the Portfolio Holder, Councillor Cheryl Little, as follows:

- a) to establish a stand on the south side of Henry Street, Lytham for 21m in a westerly direction for 3 vehicles between 1800 and 0300.
- b) to establish a stand on the west side of Dicconson Terrance, Lytham for 33m in a southerly direction for 6 vehicles between 1800 and 0300.
- c) to remove the existing stand located on the north side of Henry Street.
- d) to remove the existing stand on Park Street, Lytham.

6. Exclusion of the Public

Members of the committee were invited to consider passing a resolution to exclude the public from the meeting in accordance with the provisions of section 100A (4) of the Local Government Act 1972, on the grounds that the business to be discussed was exempt information defined in paragraph 1 of Schedule 12A of the Act (information relating to any individual).

It was RESOLVED to exclude the public.

7. Hackney Carriage Driver.

The meeting was adjourned for a short period of time in order for the committee members to review the interview transcripts relating to the complaint.

Following the adjournment AM re-entered the room accompanied by a friend and Councillor Akeroyd.

Mr Hambly reported that AM currently held a Hackney Carriage drivers licence, due to expire on the 29th May 2014 and was also the proprietor of a hackney carriage vehicle licence.

AM addressed the committee and answered questions from members in relation to the complaint.

The committee considered the matter and RESOLVED to issue AM with a warning letter.

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Notice of Proposed Individual Cabinet Member Decision

Decision Date:	9 July 2014
Portfolio Holder:	Social Wellbeing (Councillor Cheryl Little)
Matter under consideration:	Appointment of Hackney Carriage Stands
Responsible Directorate:	Resources Directorate
Reference no:	2014/07
Request from Portfolio Holder(s):	To consider a report of the Director of Resources
DRAFT DECISION:	<p>1. Advertise the following proposals for hackney carriage stands in Lytham in accordance with the Local Government (Miscellaneous Provisions) Act 1976</p> <ul style="list-style-type: none"> a) a stand on the south side of Henry Street, Lytham for 21m in a westerly direction for 3 vehicles between 1800 and 0300. b) a stand on the west side of Dicconson Terrance, Lytham for 33m in a southerly direction for 6 vehicles between 1800 and 0300. c) the removal of the existing stand located on the north side of Henry Street. d) the removal of the existing stand on Park Street, Lytham. <p>2. Subject to the receipt of no adverse representations, implement the proposals as set out above.</p>

Final approval to be given not earlier than 17 July 2014. The decision will then be implemented six working days after the publication of the decision notice in accordance with recovery and call-in procedures.

Issue Date – 9 July 2014

(N.B. If you have any questions or need further information, please contact the Resources Directorate, Town Hall, Lytham St. Annes - Tel: 01253 658546 or email sharon.wadsworth@fylde.gov.uk)

These details are published for information only.

The decision(s) will be taken by the Cabinet Member who will receive officer advice in private. A statement of the decision(s) taken, with any appropriate supporting information, will be published in accordance with the timeframes set out in the Council's Constitution.

REPORT

REPORT OF	MEETING	DATE AND REFERENCE NUMBER
RESOURCES DIRECTORATE	PORTFOLIO HOLDER DECISION	9 JULY 2014 2014/07

APPOINTMENT OF HACKNEY CARRIAGE STANDS

PUBLIC ITEM

This item is for consideration by the portfolio holder for Social Wellbeing.

SUMMARY

The existing night time hackney carriage stand on Henry St, Lytham has, since its introduction, become the busiest stand in the Borough. Due to the number of persons attending licensed premises on Henry Street the stand is no longer suitable as sufficient vehicles cannot be accommodated leading to double parking and obstruction of Dicconson Terrace.

An alternative to the existing stand has been identified and the Portfolio Holder is requested to consider the option.

RECOMMENDATIONS

1. Advertise the following proposals for hackney carriage stands in Lytham in accordance with the Local Government (Miscellaneous Provisions) Act 1976
 - a) a stand on the south side of Henry Street, Lytham for 21m in a westerly direction for 3 vehicles between 1800 and 0300.
 - b) a stand on the west side of Dicconson Terrance, Lytham for 33m in a southerly direction for 6 vehicles between 1800 and 0300.
 - c) the removal of the existing stand located on the north side of Henry Street.
 - d) the removal of the existing stand on Park Street, Lytham.
2. Subject to the receipt of no adverse representations, implement the proposals as set out above.

CABINET PORTFOLIO

This item falls within the following cabinet portfolio(s):

Social Wellbeing - Councillor Cheryl Little

SUMMARY OF PREVIOUS DECISIONS

The matter has been considered by the Public Protection Committee who have made a recommendation to the Portfolio Holder as detailed in point 10 of the report.

REPORT

1. Section 63 of Part II of the Local Government (Miscellaneous Provisions) Act 1976 states that. "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..."
2. During 2008 the Public Protection Committee recommended the approval of a Hackney Carriage Stand on the north side of Henry Street, Lytham for 4 vehicles from the junction with Dicconson Terrace for a distance of 23.5m between the hours of 1800 and 0300 hours.
3. Due to the increase in popularity of the licensed premises on Henry Street, the stand has proved to be successful but it is now considered that it cannot cater for sufficient vehicles and it should either be extended or alternative ranking arrangements identified.
4. Consideration was given to extending the rank so that it stretched the length of Henry Street between Dicconson Terrace and Green St but this would only result in an additional 4 vehicle spaces and would not resolve the issue of hackney carriages failing to proceed.
5. As such, the following option has been identified:
 - a) Establishment of a stand on the south side of Henry Street, Lytham for 21m in a westerly direction for 3 vehicles between 1800 and 0300.
 - b) Establishment of a stand on the west side of Dicconson Terrace, Lytham for 33m in a southerly direction for 6 vehicles between 1800 and 0300.
6. The establishment of these spaces would require the removal of the existing stand on the north side of Henry Street.
7. The Highways Department of Lancashire County Council have been consulted and comment, *"Thank you for your letter dated 9 December 2013 regarding the appointment of Hackney carriage stands.*

I refer to an earlier conversation you held with Chandra Dholakia regarding this request and in principle there is no highway objection to the provision of additional taxi ranks as suggested. However, as indicated to you at the time, you will be required to undertake and secure all public approval prior to Lancashire County Council taking forward the legal advertisement for any new Traffic Regulation Order (TRO).

To clarify:

- 1. The existing night time taxi rank (4 spaces) on the north side of Henry Street, will be reverting back to unrestricted parking.*
- 2. The length of the existing limited waiting bay on Dicconson Terrace is 33m long and is sufficiently long for only 6 spaces and not the 7 spaces recorded in the letter.*
- 3. The existing limited waiting bay to on the south side of Henry can accommodate 3 spaces.*

As such the above proposals would result in an overall increase of 5 taxi spaces to a total number of 9 spaces from the 4 spaces existing.

In addition, at an earlier meeting with Chandra Dholakia, you mentioned the possibility of losing the taxi rank on Park Street as a trade off to increasing availability on Henry Street. Is this still being considered please? "

8. The Lancashire Constabulary have been consulted. Marc Procter, the Traffic Management Officer, West Road Policing Unit states,
“Thank you for the letter and correspondence regarding the proposed taxi rank changes on Henry Street and Dicconson Terrace, Lytham. I have no observations to make and no objections to your proposals.”
9. It should be noted that the County Council refer to the removal of the stand on Park Street, Lytham. Although properly marked and signed, the stand is often obstructed by parked private vehicles and rarely utilised by the trade. In the Officers opinion, the removal of this stand would not impact on the ranking provision in Lytham and as such the Committee are requested to consider the suggestion and make a recommendation.
10. The matter has been discussed by the Public Protection Committee who have recommended to the Portfolio Holder as follows:
 - a) to establish a stand on the south side of Henry Street, Lytham for 21m in a westerly direction for 3 vehicles between 1800 and 0300.
 - b) to establish a stand on the west side of Dicconson Terrance, Lytham for 33m in a southerly direction for 6 vehicles between 1800 and 0300.
 - c) to remove the existing stand located on the north side of Henry Street.
 - d) to remove the existing stand on Park Street, Lytham.
11. Should the Portfolio Holder recommend the appointment of the stands, it is a requirement of S63(2) of the Local Government (Miscellaneous Provisions) Act 1976 that the proposals are advertised in a local newspaper and that any representations may be made in writing within 28 days of the publication of the notice.
12. If there are any adverse representations following the proposals being advertised, they will be formally reported to and considered by the portfolio holder before any of the proposals are implemented.

IMPLICATIONS	
Finance	To comply with signage regulations, each individual stand (if approved) will require lining and appropriate signage putting in place. The appointment of a stand must also be advertised in the local press. Any costs arising from this Report will be met from existing budgets.
Legal	None arising directly from the report.
Community Safety	Hackney Carriage stands play a vital role in the removing of persons from Town Centres, particularly late at night and by placing at places of public resort should facilitate a speedier removal of taxi customers.
Human Rights and Equalities	Hackney carriages are a vital form of transport for the disabled who may have difficulties accessing other forms of public transport.
Sustainability and Environmental Impact	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

REPORT AUTHOR	TEL	DATE	DOC ID
Chris Hambly	01253 658422	8 th July 2014	

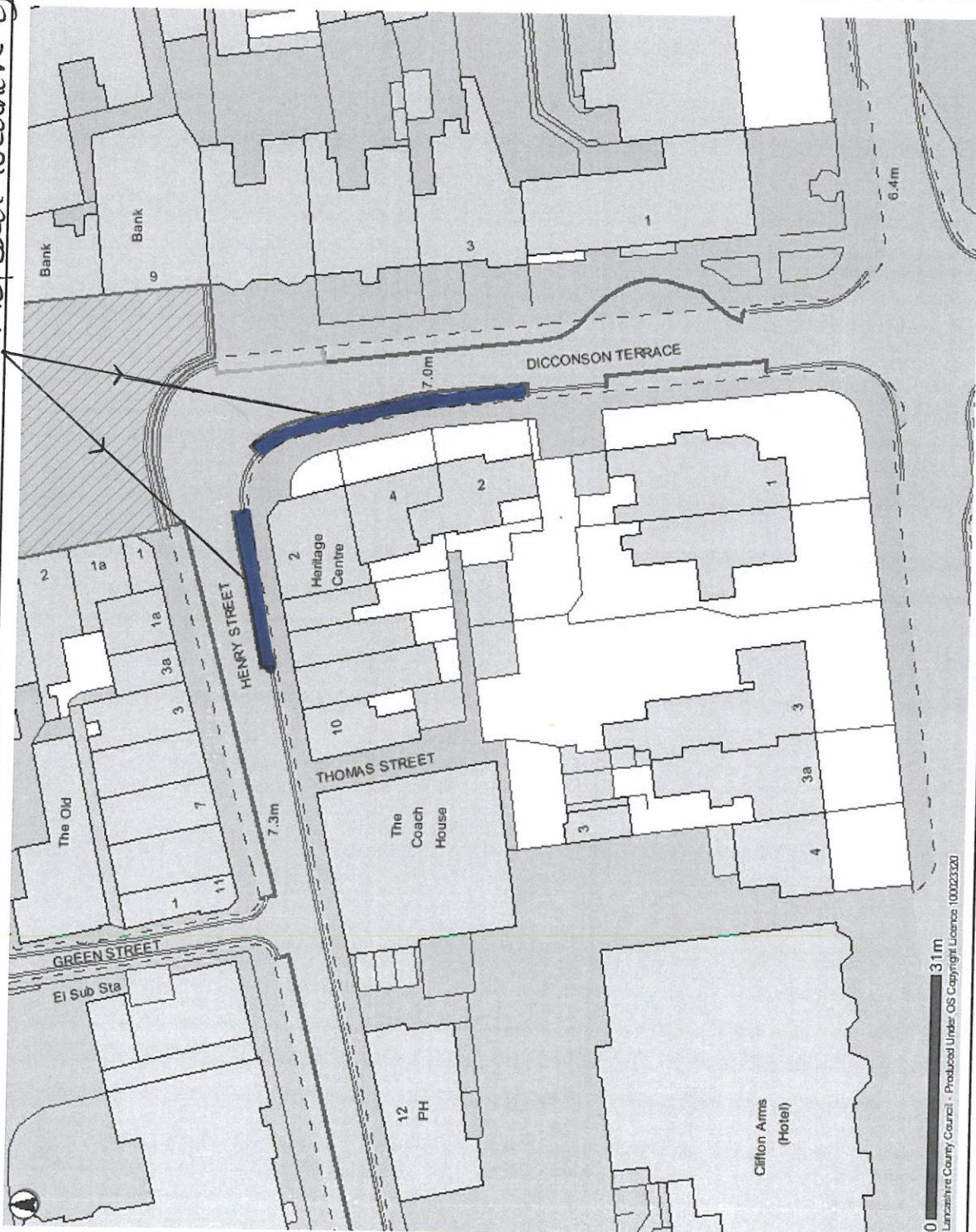
LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Public Protection Committee Minutes	19 March 2014	http://www.fylde.gov.uk/meetings/details/1154

Attached documents

1. Area Plan

Proposed location of stands

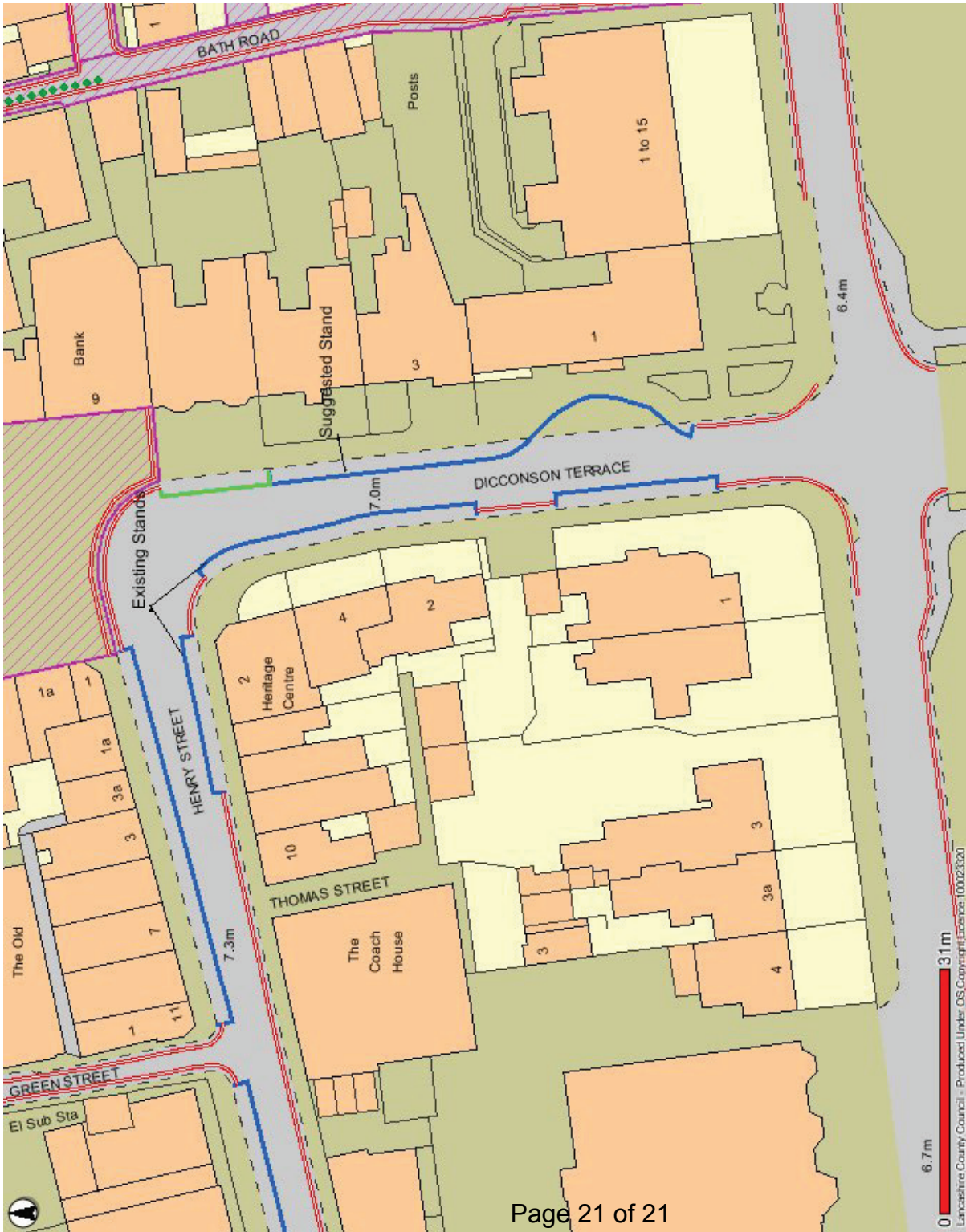
- TRO Lines**
 20 MPH Speed Restriction
 30 MPH Speed Restriction
 40 MPH Speed Restriction
 50 MPH Speed Restriction
 Bus Lane
 Bus Stop Clearway
 Disabled Parking
 Left Turn Only
 Limited Waiting
 Loading Bay
 Mandatory Cycle Lane
 Maximum Width
 No Left Turn
 No Loading
 No Loading At Any Time
 No Right Turn
 No U-Turn
 No Waiting
 No Waiting At Any Time
 One Way
 Other Parking Bays
 Pay and Display Parking
 Prohibited Access
 Public Service Vehicle Stand
 Residents Permit Holder Parking
 School Entrance Marking
 Tail Stand
TRO Areas
 20 MPH Zone
 30 MPH
 40 MPH
 50 MPH
 60 MPH
 Box Junction
 Bus Lane
 Clearway
 Length Restriction
 No Waiting At Any Time Zone
 No Waiting Zone
 Prohibition of Access
 Prohibition of Driveway
 Weight Restriction
 Width Restriction
Districts
 Other District/Unitary Authority
 Lancashire Districts



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Date: 01/10/2015