

Item: 5

Licensing Committee: 8 March 2018.

Taxi Stance, Ferry Road, Stromness.

Report by Executive Director of Corporate Services.

1. Purpose of Report

To report on the outcome of the consultation on the revocation of the appointment of a taxi stance for four vehicles on the south east side of Ferry Road, Stromness, between the South Pier and the Warehouse Pier.

2. Recommendations

The Committee is invited to note:

2.1.

That, on 25 January 2018, the Committee resolved to consult on the proposed revocation of a taxi stance for four vehicles on the south east side of Ferry Road, Stromness, between the South Pier and the Warehouse Pier, appointed in 1999.

2.2.

That the statutory consultation process was undertaken during the period 1 to 15 February 2018, when operators were requested to submit representations in respect of the proposal, referred to at paragraph 2.1 above.

2.3.

That no representations were received from operators.

It is recommended:

2.4.

That the appointment of a taxi stance for four vehicles on the south east side of Ferry Road, Stromness, between the South Pier and the Warehouse Pier be revoked.

3. Policy Aspects

3.1.

This report relates to the Council complying with its statutory duties as a Licensing Authority and therefore does not relate specifically to progressing the Council's declared priorities.

3.2.

The Council publishes information about the appointment of taxi stances at: <http://www.orkney.gov.uk/Service-Directory/T/Taxi-Ranks.htm>.

4. Introduction

4.1.

At its meeting held on 25 January 2018, the Licensing Committee noted:

4.1.1.

That, in terms of section 19 of the Civic Government (Scotland) Act 1982, subject to specified consultation requirements, licensing authorities had the following powers:

- To appoint stances for taxis.
- To vary the number of taxis permitted to be at each stance.
- To alter the position of such stances.
- To revoke the appointment thereof.

4.1.2.

That, on 11 March 1999, the Licensing Sub-committee resolved to appoint, subject to consultation in terms of section 19 of the Civic Government (Scotland) Act 1982, a taxi stance for four vehicles on the south east side of Ferry Road, Stromness between the South Pier and the Warehouse Pier.

4.1.3.

That, on 14 November 2017, the Development and Infrastructure Committee resolved, in terms of delegated powers, that the three existing prohibition of waiting orders covering on-street parking in Stromness be reviewed and consolidated into a single order.

4.1.4.

That review and consolidation of the three prohibition of waiting orders covering on street parking in Stromness, would result in the taxi stance, referred to at paragraph 4.1.2 above, no longer being used as a taxi stance.

4.1.5.

That the taxi stance, referred to at paragraph 4.1.2 above, was physically removed during the period 2011 to 2012 by the Roads Authority.

4.1.6.

That the licensing authority required to consider whether to consult on the proposed revocation of the taxi stance referred to at paragraph 4.1.2 above.

4.1.7.

That an alternative taxi stance was available at Stromness Ferry Terminal Car Park.

4.1.8.

That, should the Committee determine to consult on the proposed revocation of the taxi stance, consultation with taxi operators would be required in terms of section 19 of the Civic Government (Scotland) Act 1982.

4.2.

The Committee resolved, in terms of delegated powers:

4.2.1.

That the Licensing Committee should consult on the proposed revocation of a taxi stance for four vehicles on the south east side of Ferry Road, Stromness, between the South Pier and the Warehouse Pier, appointed in 1999.

4.2.2.

That the Executive Director of Corporate Services should submit a report, to the meeting of the Committee to be held on 8 March 2018, on the outcome of the consultation, referred to at paragraph 4.2.1 above.

5. Consultation

5.1.

Particulars of the consultation process, referred to at section 4.2.1 above, are detailed in section 7 below.

5.2.

The consultation process was undertaken during the period 1 to 15 February 2018 and no representations were received.

5.3.

Accordingly, it is recommended that the appointment of a taxi stance for four vehicles on the south east side of Ferry Road, Stromness, between the South Pier and the Warehouse Pier be revoked.

6. Financial Implications

There are no direct financial implications to the Council arising from the recommendations of this report.

7. Legal Aspects

7.1.

In terms of section 19(1) of the Civic Government (Scotland) Act 1982 (the Act), a licensing authority may, after consultation with persons or organisations appearing to them to be, or be representative of, the operators of taxis operating in their area, appoint stances for taxis for the whole or any part of a day in any road within their area or on any land owned by the authority or, with the consent of the owner, on any land owned by him/her.

7.2.

In terms of section 19(3) of the Act, a licensing authority may from time to time, after consultation in accordance with paragraph 7.1 above, vary the number of taxis permitted to be at each stance and alter the position of such stances or revoke the appointment thereof.

8. Contact Officers

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