



Title of meeting: Cabinet Member for Traffic and Transportation Decision Meeting

Date of meeting: 28 June 2021

Subject: TRO 31/2021: Proposed amendments to taxi ranks (Albert Road)

Report by: Tristan Samuels, Director of Regeneration

Wards affected: St Jude

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1.** To consider the public response to the proposed change to the combined taxi rank and limited waiting provision outside the Kings Theatre in Albert Road, Southsea.

In this report, TRO means traffic regulation order.

Appendix A: The public proposal notice for TRO 31/2021

Appendix B: Public views submitted

Appendix C: Confirmation of communications (statutory and non-statutory)

2. Recommendations

- 2.1** That the combined part-time taxi and limited waiting provision (located outside the Kings Theatre in Albert Road, Southsea) is converted to a 24-hour taxi rank as proposed under TRO 31/2021;
- 2.2** It is noted that the remainder of TRO 31/2021 has been brought into operation under TRO 31A/2021, on 27 April 2021, due to no objections being received to those proposals.

3. Background

- 3.1** Following a review of taxi ranks in the city, a number of changes were approved by the Licensing Committee in September 2020, with formal notification published in October 2020 under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.



- 3.2** Changes to traffic restrictions on the public highway are proposed via TRO under the Road Traffic Regulation Act 1984, following the statutory requirements set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 3.3** The 20-metre section of road outside the Kings Theatre subject to the current proposal is occupied by two separate traffic restrictions:
- 2-hour waiting Mon - Sat 8am-6pm (white parking bay)
 - No waiting except taxis 6pm-8am (single yellow line)
- 3.4** The ability for vehicles to park in the space during the day has led to drivers not realising it is reserved for taxis after 6pm and the taxi rank is often blocked by parked cars. This leads to taxis not having enough space and sometimes encroaching on the bus stop adjacent to the rank. To avoid this issue it has been proposed to change the restriction to prohibit parking 24 hours a day except for taxis.
- 4. Consultation and notification**
- 4.1** Statutory 21-day consultation and notification under TRO 31/2021 took place 1 - 22 March 2021.
- 4.2** Under statutory consultation, statutory bodies (police, fire & rescue, utilities companies etc.) are directly consulted on the Council's formal proposals and the public has a right to object. The Council has a statutory obligation to consider any objections received (see paragraph 8.3), although any comments received are given due consideration. Appendix B contains the full representation received in response to the proposed change outside the Kings Theatre, Albert Road.
- 4.3** In addition to the legal requirement of publishing the proposal notice in a local newspaper, the proposal notice was published on the Council's website, yellow copies were displayed at affected locations and copies were posted to any adjacent residential properties.
- 4.4** Appendix C confirms the communication steps undertaken (statutory and non-statutory), for reference purposes.
- 5. Consultation response**
- 5.1** One objection was received to the proposed conversion of the night-time taxi rank to 24-hour operation. The objection was made on the grounds of increased traffic flows in Albert Grove and area to the north, and use of Albert Grove junction for turning. Albert Grove is a one way (northbound) residential road leading off the north side of Albert Road, and a concern was raised that there could be increased use by taxis with eastbound fares, after waiting at the rank and facing west. The objector also considered the road was in a poor state of repair and the additional traffic would lead to further deterioration. The full objection is reproduced at Appendix B.



6. Reasons for the recommendations

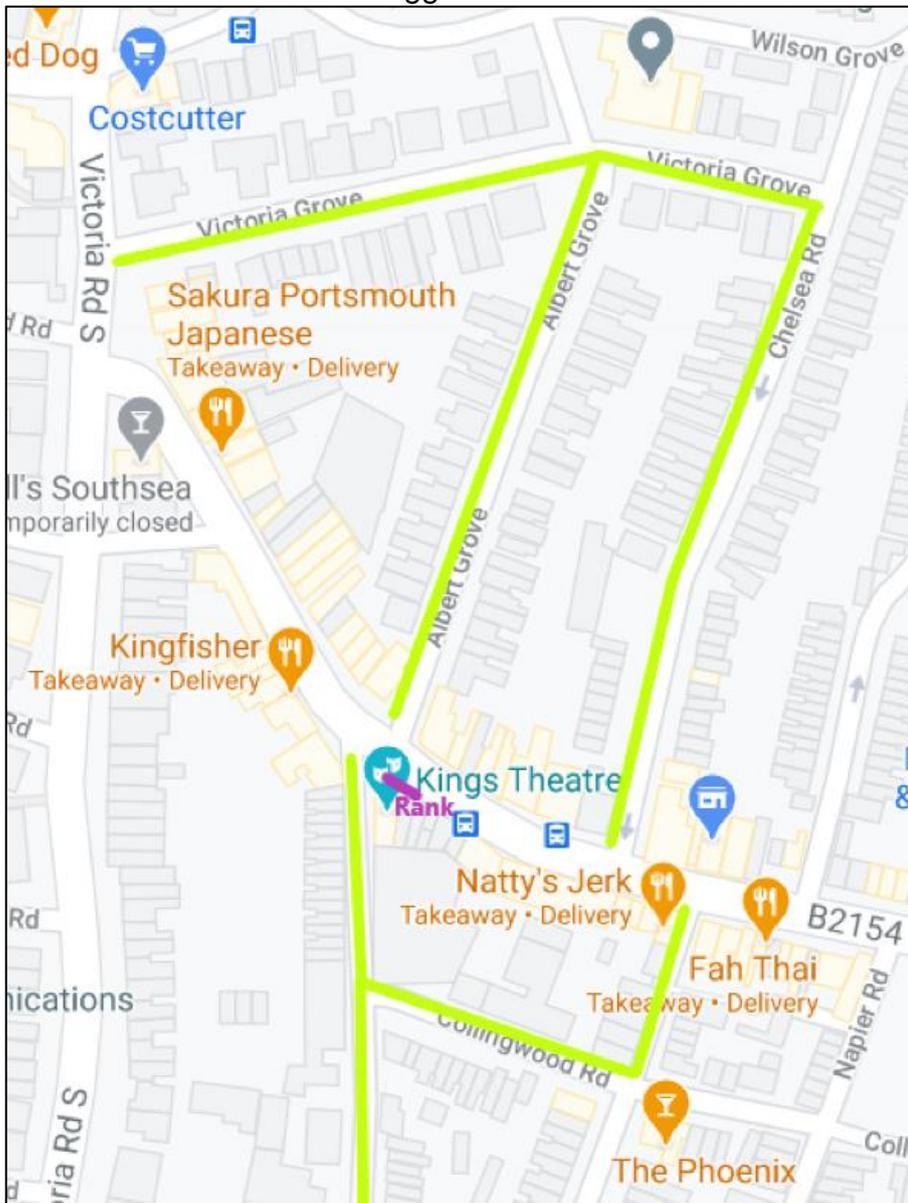
- 6.1** Feedback and enforcement evidence indicates that the current combined waiting restrictions have been problematic, which was again raised during the review of the taxi ranks, with a 24-hour taxi rank subsequently being agreed by the Licensing Committee. The current restriction has caused problems for taxis accessing the stand between 6pm-8am, with unauthorised vehicles frequently parking within the marked bay and obstructing the taxi provision operating from 6pm onwards. This has further knock-on effects, as taxis can over-rank into the adjacent bus clearway, affecting timetabled services, or double-park to drop off passengers before the taxi provision becomes available.
- 6.2** Additional signage has been added to highlight the 6pm-8am taxi provision, following continuing concerns raised by the taxi trade and bus companies, but this has not improved the situation. The local authority may only use road markings and signage on the public highway that is prescribed by the Department for Transport's legislation, and daily enforcement is not practicable in the long-term.



- 6.3** Over the past 3 years, a high number of Penalty Charge Notices (PCNs) have been issued to vehicles parked in contravention of single and double yellow lines in Albert Road between 6pm-8am (534 PCNs) many of those to vehicles parking on the single yellow line when it allows Taxis to wait. A 24-hour taxi rank with no part-time parking provision would prohibit parking by other vehicles and reduce the problem. There are a number of short-term parking bays available for use in the vicinity, providing up to 2 hours' free parking between 8am and 6pm and there should not be any significant impact on parking ability for people visiting Albert Road.
- 6.4** The 6pm-8am taxi provision caters for a known evening/overnight demand. Therefore, removing the short-term parking facility and associated markings is anticipated to reduce obstruction of the rank after 6pm rather than to cater for an increase in use by taxis. The local roads currently cope with peak time traffic, including the turnover of vehicles using the 2-hour limited waiting bay.



- 6.5** The Council has a maintenance contract in place which requires roads to be inspected on a regular basis, any defects that fall below prescribed standards need to be remedied and a programme of resurfacing to be followed. Whilst it is unlikely that Albert Grove would experience such high usage as to cause damage to the road surface, the Colas inspectors would monitor any increase in demand for remedial works.
- 6.6** It is considered that the issues set out in Paragraphs 6.1 and 6.2 above outweigh any potential increase in traffic through the surrounding area, and that any increase is likely to be absorbed by adjacent routes, not solely Albert Grove. Taxis leaving the rank would have to cross the oncoming traffic lane to turn right and use Albert Grove, whereas a left turn into Exmouth Road is also feasible. This southern route is not shown on the objector's map extract, and Exmouth Road - Collingwood Road - Duncan Road - Albert Road is a shorter route than the Albert Grove - Victoria Grove - Chelsea Road - Albert Road route suggested:





7. Integrated Impact Assessment

7.1 The Integrated Impact Assessment is attached.

8. Legal Implications

8.1 It is the duty of a local authority to manage its road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:

- (a) securing the expeditious movement of traffic on the authority's road network; and
- (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

8.2 Local authorities have a duty to take account of the needs of all road users, take action to minimise, prevent or deal with congestion problems, and consider the implications of decisions for both their network and those of others.

8.3 A proposed TRO must be advertised and the statutory consultees notified and given a 3-week period (21 days) in which to register any support or objections. Members of the public also have a right to object during that period. If objections are received to the proposed order the matter must go before the appropriate executive member for a decision whether or not to make the order, taking into account any objections received from the public and/or the statutory consultees during the consultation period.

9. Director of Finance's comments

9.1 The cost of the recommendations in this report are likely to be less than £1,000 and will be met from the Parking reserve.

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Signed by:
Tristan Samuels
Director of Regeneration

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
1 letter in response to the published proposals under TRO 31/2021	1. Portsmouth City Council's "TROteam" inbox, Microsoft Outlook 2. Parking team's online storage (content reproduced within the report)
Licensing Committee - 25 September 2021 - Appendix A: Review of Hackney Carriage Stands	Portsmouth City Council website; Licensing Service archives
Notice of Proposals under Section 63, Local Government (Miscellaneous Provisions) Act 1976	Portsmouth City Council website; Licensing Service

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:
Cabinet Member for Traffic and Transportation

Appendix A: The public proposal notice for TRO 31/2021

THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (TAXI RESTRICTION AMENDMENTS) (NO. ORDER 2021

1 March 2021: Notice is hereby given that the Portsmouth City Council ("the Council") proposes to make the above Order under Sections 1, 2, 4, 32, 35 and 36 of the Road Traffic Regulation Act 1984 ("the Act"), as amended, the Traffic Management Act 2004, the Civil Enforcement of Parking Contraventions (England) General Regulations 2007, and of all other enabling powers, and in accordance with Parts III and IV of Schedule 9 to the Act. The effect would be as follows:

A) REMOVAL OF NO WAITING 7PM-7AM EXCEPT TAXIS

1. Cambridge Road

South-east side, the 37m length outside the University of Portsmouth Student Centre, opposite the sports hall

B) REMOVAL OF TAXI RANK (LEAVES NO WAITING AT ANY TIME)

1. Derby Road Service Road

West side, the 33m length south of Derby Road

C) CHANGE FROM TAXI RANK TO LOADING ONLY

1. Kingswell Street

South side, east of Fountain Street, rear of Nos. 6-12 Edinburgh Rd

D) REDUCTION OF TAXI RANK LENGTH

1. Edinburgh Road

South side, reduce the existing rank east of Stanhope Road by 4m, away from the bus stop outside the Iceland store

E) CHANGE TO BUS STOP CLEARWAY TO ALLOW TAXIS MIDNIGHT - 5AM

1. Commercial Road

East side, southbound from Surrey Street, outside Nos. 106-112 Commercial Road and Avalon House

F) CHANGE TO BUS STOP CLEARWAY TO ALLOW TAXIS MIDNIGHT - 6AM

1. Albert Road, Southsea

South side, west of Beatrice Road, outside Nos. 126A-128 Albert Rd

**G) CHANGE FROM PART-TIME TAXIS AND PART-TIME LIMITED WAITING TO:
NO WAITING EXCEPT TAXIS 24 HOURS A DAY**

1. Albert Road, Southsea

South side, east of Exmouth Road, the 20m length outside the Kings Theatre (Nos. 24-30 Albert Rd)

CITY COUNCIL'S REASON FOR THE ORDER

To facilitate amendments and revocations of taxi rank provision across the city, as approved by the Portsmouth City Council Licensing Committee.

To view this public notice or the draft order on Portsmouth City Council's website www.portsmouth.gov.uk search 'traffic regulation orders 2021'. For those without access to a computer, a printed copy of the draft order including the statement of reasons can be requested by calling Alison on 023 9268 8501.



Persons wishing to object to these proposals may do so by sending their representations via email to **engineers@portsmouthcc.gov.uk** or by post to Alison Lawlor, Parking team, Portsmouth City Council, Civic Offices, Portsmouth PO1 2NE, quoting ref **TRO 31/2021** by **22 March 2021** stating the grounds of objection, and name and address details.

Under the provisions of the Local Government (Access to Information) Act 1985, any written representations that are received may be open to inspection by members of the public. If the proposals require a decision to be made at a public meeting, representations are anonymised in accordance with data protection law and included in the published report. Please see the Council's website for full details of the [Data Protection privacy notice](#).

Pam Turton, Assistant Director of Regeneration (Transport)
Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2NE

Appendix B: Public views

Objection from resident, Albert Grove.

Taxi Restriction amendments

G) Change from Part time Taxi & Waiting to Full Time Taxis Only Access

I would like to OBJECT to the change (extension) of operating times for the taxi rank outside the Kings Theatre on Albert Road.

As a resident of Albert Grove immediately opposite the site, our 20mph one-way residential road is often used as a handy short cut around the often-congested Albert Road / Victoria Road South junction and the Elm Grove lights. Vehicles are also often seen moving at speed up the road but the last year of covid restrictions in place it has certainly been noticeably reduced as most of the bars, restaurants and venues have been closed.

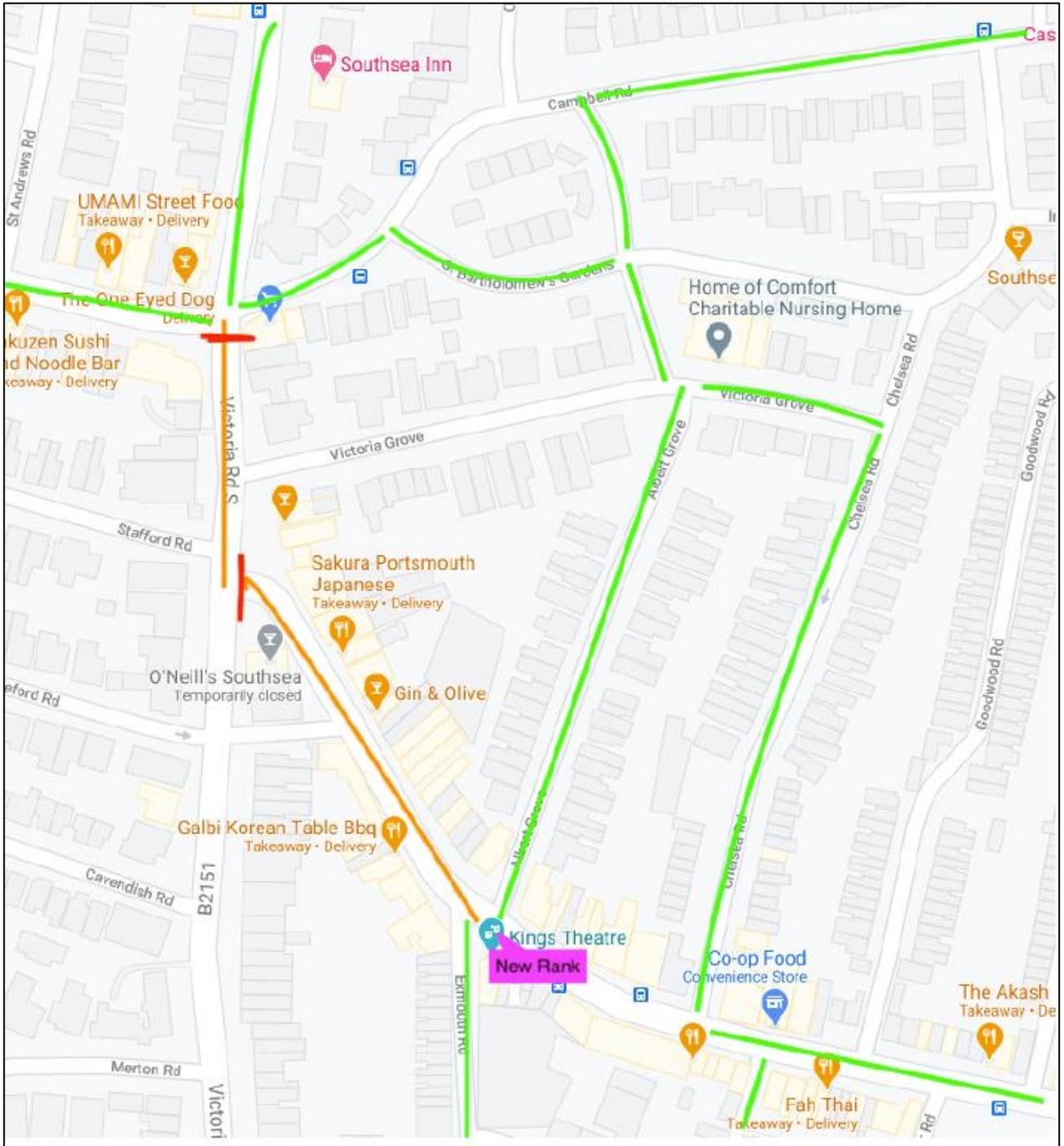
The road is also currently in a poor state of repair with a number of locations where the surface has dropped or broken away, and where it has been fixed through patching up failure is once again occurring. Increasing the potential for more vehicles to add to this burden is not something I approve of.

I would think it also likely that the entrance to the road will increasing be used as a turning point should they need to travel east along Albert Road upon the commencement of their journey causing further disruption.

I have included an illustrated map of the residential likely to affected by increased traffic should the rank operate for 24 hours a day.

Whilst I agree that the taxi trade plays an important part in the desire to reduce the unnecessary journeys of private vehicles within the city and supports the night-time economy, there is a duty of care upon the drivers to reduce disturbance and nuisance of existing residents and to not use side streets as major thoroughfares in order to maximise their earning power due to the design of the existing street layout.

Should you decide to make the change of operating hours despite this and any other objections you may receive, I would hope that you undertake a study of how taxis use the rank, including the roads and routes used to arrive and depart as well as the speed of all vehicles within the existing 20mph system around the Kings Theatre, in order not to increase any inconvenience that local residents already suffer from.



(End of report)



Portsmouth
CITY COUNCIL