

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 23 March 2011.

PRESENT: Councillor Brunton (Chair), Councillors Kerr, McIntyre (as substitute for Councillor Dryden), McPartland (as substitute for Councillor Khan), Purvis, J A Walker and Williams.

OFFICERS: J Bennington, E Chicken, P Clark and M Robinson.

**** PRESENT BY INVITATION:** Richard Hustwick, William Morrison Supermarkets PLC.

**** ALSO IN ATTENDANCE AS OBSERVERS:** Middlesbrough Borough Cars Limited representatives.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Dryden, C Hobson, J Hobson, Mawston and Sanderson.

**** DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

**** MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 2 March 2011 were submitted and approved as a correct record.

TAXI FACILITIES – CROSSFELL ROAD, BERWICK HILLS

The Scrutiny Support Officer submitted an introductory report, which outlined the sources of evidence received so far and aspects of the scrutiny review to be considered at the meeting.

As requested by the Board at the previous meeting an extract was provided from the minutes of the meeting of the Middlesbrough Officers' Traffic Group held on 5 November 2010 in relation to a proposed taxi rank at Crossfell Road.

From the outset Mr Hustwick from William Morrison Supermarkets PLC (WMS) stated that the current provision for Private Hire and Hackney Carriage at the Berwick Hills store was considered to be adequate for customer requirements in the area. In response to Member's questions Mr Hustwick indicated that although it was not the normal practice to have both private hire and hackney carriage facilities at a store site it was considered that in the case of the Berwick Hills store such a set up which had existed with the previous owners of the store, provided the best arrangements for customers. The Store and Area Managers had been involved in the discussions in agreeing current arrangements based on the belief that it was what the customer wanted which was their prime concern.

As offered in other stores across the UK a free phone facility for customers was available in the store at Berwick Hills. WMS had entered into a private business arrangement with Middlesbrough Borough Cars Limited who provided a 'free phone' so that customers could call one of their private hire vehicles.

It was confirmed that the taxi rank within WMS was on private land and operated on the basis of an informal and a private arrangement between WMS and the private hire taxi providers.

In commenting on the overall operating arrangements Mr Hustwick indicated that given that hackney carriage providers involved many individuals it was considered beneficial if there was an organisation to oversee such arrangements from a health and safety perspective and to ensure traffic flow. Mr Hustwick confirmed that WMS was not in a position to undertake such responsibilities. WMS had expressed a wish for the land to be leased to the Council in order to run a taxi rank and for it to be appropriately regulated. Mr Hustwick advised the Board of problems of traffic congestion at the store in particular when there had been approximately 20 to

30 hackney carriage vehicles on site at the same time. Mr Hustwick indicated that WMS had taken steps to try and regulate the number of vehicles on site but had received resistance to such action.

In response to clarification sought from Members, Mr Hustwick reiterated that WMS was satisfied with current arrangements subject to the hackney carriage facility being appropriately regulated and for the Council to assist in this regard.

From the Council's perspective the Director of Environment and Adult Social Care and the Head of Community Protection gave an indication of the legal obligations which would rest with the Council if they entered into a lease arrangement with WMS for a taxi rank. As previously reported a hackney carriage taxi rank could be designated on private land with the private landowner's approval and be subject to the prevailing legislation specifically prohibiting other vehicles parking in the area.

With reference to comments which had been made regarding traffic congestion arising from numbers of hackney carriage vehicles the Officers confirmed that there had been no specific complaints submitted to the Council to date regarding the number of such vehicles.

ORDERED as follows:-

1. That Mr Hustwick be thanked for the information provided which would be incorporated into the overall review.
2. That representatives of the Hackney Carriage Association be invited to attend the meeting of the Board to be held on 13 April 2011.