

**Report to the Ballincollig Carrigaline Municipal District  
meeting on  
Monday 15th May 2017**

**Re: Taxi Ranks Douglas**

**To: Chairman and Members of the Ballincollig Carrigaline  
Municipal District.**

Dear Councillors,

Cllr S McGrath requested a report to outline the process/procedure to make some of the existing taxi ranks in Douglas available as pay parking spaces during the day. They would then revert to taxi only in the evenings.

As Members are aware the taxi ranks in Douglas are located on East Douglas Street outside ECO Restaurant and on the Carrigaline Road. The number of spaces available is 2 and approx 12 respectively.

To facilitate this will require making of Bye-Laws under the Taxi Regulation Act 2013. In making Bye-laws the Council will have to determine the area that they apply to. The area to which the Parking Bye Laws apply would seem the logical choice.

In general Bye Laws can deal with the following issues:

- Appointing locations.
- Fixing the maximum number of taxis at a stand at any one time.
- Specifying stands for hire at particular times only.
- Determining manner in which taxis may make use of the stand.
- Prohibiting standing for hire in non appointed areas.
- Regulation and control of stands.

The process for making Bye-Laws is as follows:

- Consultation with the National Transport Authority and the Garda Commissioner.
- Publication of notice of intention to make bye-laws and seek representations.
- Consider representations.
- Make Bye-laws.
- Publish notification of making.

The following should be noted:

The NTA may issue guidelines which the local authority “shall have regard to.”

**Conclusion:**

Bye Laws can provide for a reduced number of spaces to be designated as an appointed stand from day 8.30 – 18.00 Monday Saturday incl to and then revert to Taxi Rank from 18.00 These hours coincide with the Pay Parking times so it would make sense to be consistent in relation to this.

If Members wish to make Bye-Laws we will commence the process with a view to having them ready for consideration for the June meeting. It is proposed that the only appointed stands will be at the existing locations outside ECO and on the Carrigaline Road. As part of this process we will make direct contact with any Taxi

companies that are based in Douglas to advise them of the proposal and to ensure that there is no confusion in relation to what is proposed.

Kevin O' Regan  
Municipal District Officer

### **TAXI REGULATION ACT 2013**

**25.** (1) A local authority may make bye-laws in respect of any specified area in its functional area for all or any of the following purposes:

- (a) appointing the places ("appointed stands") at which taxis may stand for hire;
- (b) fixing the maximum number of taxis which may stand for hire at the same time at any particular appointed stand;
- (c) specifying appointed stands at which taxis may stand for hire at particular times only and specifying those times;
- (d) determining the manner in which taxis shall make use of and stand for hire at any particular appointed stand;
- (e) prohibiting taxis from standing for hire at places in the area that are not appointed stands;
- (f) otherwise regulating and controlling the use of appointed stands.

(2) Different bye-laws may be made under this section—

- (a) in respect of different areas within the functional area of the local authority concerned, and
- (b) in respect of other different circumstances.

(3) The driver of a taxi shall not stand for hire with the taxi other than at an appointed stand in an area in which it is licensed under *section 9* to so stand.

(4) The driver of a taxi shall not stand or attempt to stand for hire with the taxi—

- (a) while the maximum permitted number of taxis which may stand for hire at the appointed stand under bye-laws made under *subsection (1)* are standing for hire at the stand, or
- (b) in contravention of any other bye-law made under *subsection (1)*.

(5) The driver of a taxi, where an appointed stand is full, shall not stand with the taxi on part of the public road adjoining or in the proximity of the stand.

(6) The driver of a taxi shall not stand with the vehicle or park it at an appointed stand unless the vehicle is available for hire.

(7) The driver, or person in charge of, a vehicle which is not a taxi shall not stand with the vehicle, or park it, at an appointed stand.

- (8) Where, in the opinion of a member of the Garda Síochána, the driver or person in charge, of a vehicle is contravening *subsection (6) or (7)*, the member may require the person to move the vehicle from the appointed stand concerned.
- (9) A person who contravenes *subsection (3), (4), (5), (6) or (7)* commits an offence and is liable on summary conviction to a class D fine.
- (10) A person who fails to comply with a requirement of a member of the Garda Síochána under *subsection (8)* commits an offence and is liable on summary conviction to a class C fine.
- (11) A member of the Garda Síochána may arrest without warrant a person who in the member's opinion is failing to comply with a requirement under *subsection (8)*.
- (12) Where a local authority proposes to make bye-laws under this section, it shall —
- (a) consult with the Authority and the Garda Commissioner, and
  - (b) publish a notice in *Iris Oifigiúil* on its website and in one or more newspapers circulating in the area to which the proposed bye-laws will relate stating—
    - (i) that the authority proposes to make bye-laws under this section in relation to the area and that a draft of the proposed bye-laws is available for inspection on its website, and
    - (ii) that representations may be made to the authority by any person affected before a specified date.
- (13) Where a notice is published pursuant to *subsection (12)*, a person may make representations in relation to the proposed bye-laws to the local authority concerned before the date specified in the notice, and the authority shall, before deciding to make the bye-laws and determining their contents, have regard to any such representations.
- (14) Where a local authority proposes to make bye-laws under this section in relation to a public road responsibility for the maintenance of which lies on a road authority (within the meaning of the Act of 1961) not being the local authority, the local authority shall consult with the road authority before making the bye-laws.
- (15) As soon as may be after the making of bye-laws under this section notice of their making shall be published in one or more newspapers circulating in the area to which the bye-laws relate and on the website of the local authority concerned.
- (16) The Authority may draw up and publish a guideline to local authorities in relation to bye-laws under *subsection (1)* and their contents. A local authority shall have regard to any such guidelines.
- (17) The function conferred on a local authority under *subsection (1)* is a reserved function.
- (18) Bye-laws under section 84 (as amended by section 29 of the Road Traffic Act 2004) of the Act of 1961 which are in force immediately before the commencement of this section continue in force after such commencement as if made under this section and may be amended or revoked accordingly.

(19) In this section—

“public road” has the meaning assigned to it in the Roads Act 1993;

“website” in relation to a local authority, means a website maintained or used by the local authority on the internet