

Subject : The Provision of Hackney Carriage
Stands

Status: For Publication

Report to: Licensing Committee

Date: 24th January 2011

Report of: Director for Business

Portfolio

Holder: Environmental Services

Key Decision: No

1. PURPOSE OF REPORT

1.1 To advise the Committee of a request for a hackney carriage stand in Thorneylea, Whitworth.

1.2 To request the Committee formally appoint a hackney carriage stand for two hackney carriages at Thorneylea, Whitworth under section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

2. CORPORATE PRIORITIES

2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective/s.

- Delivering Quality Services to Customers
- Keeping our Borough clean, green and safe.

3. RISK ASSESSMENT IMPLICATIONS

3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- There are no particular risk considerations.

4. BACKGROUND AND OPTIONS

4.1 Rossendale Borough Council licences hackney carriage drivers and vehicles, and private hire drivers, vehicles and operators under the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

- 4.2 Private hire drivers and vehicles are operated through private hire operators and are not permitted to ply for hire or wait on hackney carriage stands.
- 4.3 Hackney carriages are one of the oldest forms of public transport and an important part of the overall passenger transport infrastructure of the country. Hackney carriages can ply for hire in a street or other public places and indeed, by virtue of bye-laws within the Borough of Rossendale, are obliged to return to a hackney carriage stand after completing each hire.
- 4.4 The adoption of a taxi stand makes it an offence under Section 64 of the Local Government (Miscellaneous Provisions) Act 1976 for any person to cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages during any period for which that stand has been appointed, or is deemed to have been appointed, by a district council under the provisions of section 63 of the Act.
- 4.5 Current details of hackney carriage stands appointed under section 63 of the Local Government (Miscellaneous Provisions) Act 1976 by Rossendale Borough Council are appended at Appendix A.
- 4.6 The hackney carriage stands appended at Appendix A were all appointed under section 63 of the Local Government (Miscellaneous Provisions) Act 1976, which is the easiest way to do this. Hackney carriage stands can also be designated under a Traffic Regulation Order.
- 4.7 At this time there are no adopted hackney carriage stands in Whitworth. A map of the proposed location of the hackney carriage stand is appended at Appendix B.
- 4.8 No objections have been received during consultation.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 There are no specific financial implications.

6. MONITORING OFFICER

- 6.1 The Council must make a decision based on all relevant information and following consideration of all relevant Council policies.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 7.1 There are no specific human resources implications.

8. CONCLUSION

- 8.1 To consider the report and to make the appropriate determination.

9. RECOMMENDATION

- 9.1 It is recommended that the Licensing Committee determine to appoint a hackney carriage stand for two hackney carriages at Thorneylea, Whitworth under section 63 of the Local Government (Miscellaneous Provisions) Act 1976.
- 9.2 It is further recommended that the hackney carriage stands hours of operation should be Monday to Sunday, 24 hours.
- 9.3 The Licensing Committee are recommended to delegate all matters relating to the appointment of the hackney carriage stand to the Public Protection Manager.

10. CONSULTATION CARRIED OUT

- 10.1 Consultation has taken place with the taxi liaison group, Lancashire Constabulary, Lancashire County Council Engineering Services and Whitworth Town Council.

11. COMMUNITY IMPACT ASSESSMENT

- Is a Community Impact Assessment required Yes
- Is a Community Impact Assessment attached No

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No background papers

Appendices	
Document	Appendix Number
Current details of hackney carriage stands appointed by Rossendale Borough Council	Appendix A
Map of the proposed location of the hackney carriage stand at Thorneylea, Whitworth	Appendix B