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| <b>Subject:</b>                       | Bank Street Hackney Carriage Stand   | <b>Status:</b>           | For Publication  |
| <b>Report to:</b>                     | Licensing Committee  | <b>Date:</b>             | 30 <sup>th</sup> August 2011   |
| <b>Report of:</b>                     | Director of Business   | <b>Portfolio Holder:</b> | Environmental Services   |
| <b>Key Decision:</b>                  | <input type="checkbox"/> Forward Plan <input type="checkbox"/>                               | <b>General Exception</b> | <input type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/> |
| <b>Community Impact Assessment:</b>   | Required:  | Yes                      | Attached: No   |
| <b>Biodiversity Impact Assessment</b> | Required:  | Yes                      | Attached: No   |
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|-----------|--|
| <b>1.</b> | <b>RECOMMENDATION(S)</b>   |
| 1.1       | It is recommended that the Licensing Committee determine to appoint a hackney carriage stand for eight hackney carriages at Bank Street, Rawtenstall under section 63 of the Local Government (Miscellaneous Provisions) Act 1976. |
| 1.2       | It is further recommended that the hackney carriage stands hours of operation should be Monday to Sunday, 8pm to 3am.  |
| 1.3       | The Licensing Committee are recommended to delegate all matters relating to the appointment of the hackney carriage stand to the Public Protection Manager.  |

## 2. PURPOSE OF REPORT

- 2.1 To request the Committee regularise and confirm the current hackney carriage stand on Bank Street in Rawtenstall by formally appointing a hackney carriage stand for eight hackney carriages under section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
  - **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
  - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- There are no specific risk issues for members to consider arising from this report.

## 5. BACKGROUND AND OPTIONS

- 5.1 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.

- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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.
- 5.6 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.
- 5.7 The current hackney carriage stand at Bank Street, Rawtenstall, was reduced to a stand for 4 vehicles on 1<sup>st</sup> March 2005.
- 5.8 Prior to this it was a stand for 5 hackney carriages from 7<sup>th</sup> August 1998 and a stand for 8 hackney carriages from 7<sup>th</sup> February 1997
- 5.9 Despite this, the stand has always been in operation for 8 vehicles as there was also a stand designated under a Traffic Regulation Order at the same location.
- 5.10 On 1<sup>st</sup> June 2011, Lancashire County Council (LCC), as part of an Experimental Traffic Regulation Order, sought to revoke a number of Traffic Regulation Orders at the site on Bank Street, Rawtenstall in order to ease congestion, the order and site notice is appended at Appendix B and Appendix C. It is not LCC's intention to revoke this stand however due to the complexities of the current orders, and the problems faced by the parking enforcement officers, this is seen as a good opportunity to regularise the current orders.
- 5.11 It is agreed that the hours of operation of the stand do not impact on the congestion matters LCC are hoping to resolve through their Experimental Traffic Regulation Orders.

#### **COMMENTS FROM STATUTORY OFFICERS:**

##### **6. SECTION 151 OFFICER**

- 6.1 There are no specific financial implications

##### **7. MONITORING OFFICER**

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

##### **8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

- 8.1 There are no specific human resources implications.

**9. CONSULTATION CARRIED OUT**

9.1 Rossendale Taxi Association, LCC Highways, Senior Officers at Rossendale BC

**10. CONCLUSION**

10.1 To consider the report and to make the appropriate determination.

There are no background papers

| Appendices   |                   |
|--|-------------------|
| Document   | Appendix Number   |
| hackney carriage stands appointed under section 63 of the Local Government (Miscellaneous Provisions) Act 1976 by Rossendale Borough Council | <i>Appendix A</i> |
| LCC Traffic Regulation Order   | <i>Appendix B</i> |
| LCC Site Notice  | <i>Appendix C</i> |