

Subject:	Hackney Carriage Stand, St. James Square, Bacup	Status:	For Publication
Report to:	Licensing Committee	Date:	28 th February 2012
Report of:	Director of Business	Portfolio Holder:	Environmental Services
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required:	Yes	Attached: No
Biodiversity Impact Assessment	Required:	Yes	Attached: No
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1.	RECOMMENDATION(S)
1.1	It is recommended that the Licensing Committee determine to appoint a hackney carriage stand for two hackney carriages at St. James Square, Bacup under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976
1.2	It is further recommended that the hackney carriage stand, hours of operation should be Monday to Sunday, 20.00hrs to 06.00hrs.
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 in consultation with the Chair of the Licensing Committee.

2. PURPOSE OF REPORT

- 2.1 To request the Committee confirm the adoption of a hackney carriage stand on St. James Square in Bacup by formally appointing a hackney carriage stand for two 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 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, 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 A map of the proposed location of the hackney carriage stand is appended at Appendix B

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 Lancashire County Council – Highways and Rossendale Transport (Appendix C)

10. CONCLUSION

10.1 To consider the report and 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>
Map of the proposed location of the Hackney Carriage Stand	<i>Appendix B</i>
Correspondence re: Consultation	<i>Appendix C</i>