

**HACKNEY CARRIAGE STAND IN MARKET STREET SERVICE ROAD**

Relevant Portfolio Holder	Councillor P J Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	St Johns (directly) All Wards (indirectly)
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 To advise members of a proposal to relocate the current appointed hackney carriage stand in the Market Street service road and to request that Officers conduct a 28 days public consultation on the proposals; any objections received will be brought back before the Licensing Committee for consideration before a decision is taken about whether to proceed with the relocation of the hackney carriage stand.

**2. RECOMMENDATIONS**

**Members are asked to RESOLVE that:**

**Officers be instructed to conduct a 28 day public consultation process on the proposed relocation of the hackney carriage stand; and,**

**That any objections received will then be brought back before the Licensing Committee for consideration before a decision is taken about whether to proceed with the relocation of the hackney carriage stand.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 The cost of the public notice and other administrative costs will be met from existing budgets held by Worcestershire Regulatory Services.
- 3.2 In the event that the proposed stand is appointed the cost of any additional signage and road markings required would need to be met by Worcestershire County Council as part of their budget for the walking and cycle route improvements

**Legal Implications**

- 3.3 Licensing Authorities have power under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to create, amend and revoke hackney carriage stands (ranks). This allows district councils to “appoint stands for Hackney Carriages” either on public highways or private land and the stands can be for either continual or part-time use.
- 3.4 Under the Local Government (Miscellaneous Provisions) Act 1976 s63 a district council is required to publish a notice in a local newspaper and wait 28 days from publication, after which Members will need to consider any written representations of objections made.
- 3.5 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand a district council is required to give notice to the chief officer of police.
- 3.6 Additionally a district council cannot create a hackney carriage stand:
- (a) so as unreasonably to prevent access to any premises;
  - (b) so as to impede the use of any points authorised to be used in connection with a local service within the meaning of the Transport Act 1985 or PSV operator’s licence granted under the Public Passenger Vehicles Act 1981, as points for the taking up or setting down of passengers, or in such a position as to interfere unreasonably with access to any station or depot of any passenger road transport operators, except with the consent of those operators;
  - (c) on any highway except with the consent of the highway authority; the maximum number of permissible points has been reached, is taken at the appropriate level, based on the merits of each individual case.

**Service / Operational Implications**

- 3.7 Officers were recently made aware of some upcoming improvements being made by Worcestershire County Council to walking and cycle routes around Bromsgrove.
- 3.8 The County Council’s £3.4 million project aims to reduce congestion in Bromsgrove by providing alternative travel choices to local residents to reduce short journeys made by car.

- 3.9 The improvements form part of the wider transport and highways plan for the area and will see an additional six recognised walking and cycling pathways being introduced over the next two years. The work will also include improving other recognised cycleways across Bromsgrove.
- 3.10 One aspect of the proposed improvements impacts on the existing hackney carriage stand appointed by Bromsgrove District Council in the Market Street service road (the bus station). The proposed works at this location are anticipated to take place in Summer 2019.
- 3.11 The highway improvements planned at this location mean that two of the five spaces currently provided for hackney carriages to stand for hire would be lost, reducing the number of available spaces to three.
- 3.12 Officers made clear that this particular hackney carriage stand is already prone to overcrowding in the daytime and that any proposal to reduce the number of spaces available for hackney carriages to stand for hire at the location would exacerbate the situation.
- 3.13 Following further dialogue with officers from the County Council, a proposed solution has been put forwards that would see the hackney carriage stand retained for five vehicles, but being relocated across the road from its current position.
- 3.14 A drawing showing the proposed location for the new hackney carriage stand is provided at **Appendix 1**.
- 3.15 Officers consider this solution to be the best available option for retaining five spaces for hackney carriages to stand for hire at this particular location. There are also some benefits to the relocation, with hackney carriages no longer standing spaced out between entrances to properties that need to be kept clear. Also passengers would be able to enter vehicles from the near side without having to walk out into the road.
- 3.16 In order to implement the proposed relocation, it is necessary for the Council to undertake the required legal process to appoint a new hackney carriage stand and revoke the appointment of the existing hackney carriage stand at this location.
- 3.17 The first stage of this process is to consult on the proposals with the chief officer of police and via a public notice that needs to be published in a local newspaper.
- 3.18 Members are asked to instruct officers to carry out the required consultation with any objections received being brought back to the Licensing Committee for consideration later in the year.

**4. RISK MANAGEMENT**

- 4.1 Failure to carry out the legal process to appoint a newly located hackney carriage stand could lead to a reduction in the number of spaces available for hackney carriages to stand for hire at this location. This would exacerbate existing problems with “over-ranking” at the location and provide an additional risk to public safety.

**5. APPENDICES**

Appendix 1 – Drawing showing proposed location of hackney carriage stand.

**AUTHOR OF REPORT**

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