

HACKNEY CARRIAGE STAND IN MARKET STREET SERVICE ROAD

Relevant Portfolio Holder	Councillor A D Kent
Portfolio Holder Consulted	No
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 the response received to a recent consultation on a proposal to relocate the current appointed hackney carriage stand in the Market Street service road.

2. RECOMMENDATIONS

Members are asked to RESOLVE:

- (a) Whether or not they wish to proceed with the relocation of the hackney carriage stand as proposed and shown on the drawing at Appendix 1; and,**
- (b) If Members decide they wish to proceed with the proposal to relocate the hackney carriage stand, to instruct and delegate authority to officers to carry out the legal process required in consultation with the officers delivering the Worcestershire County Council project to make improvements to walking and cycle routes around Bromsgrove.**

3. KEY ISSUES

Financial Implications

- 3.1 The cost of the public notice and other administrative costs were 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

Background

- 3.7 The proposal to relocate the hackney carriage stand is as a result of a 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 late Summer 2019.
- 3.11 Following dialogue with officers from the County Council, relocating the current hackney carriage stand to the proposed location was considered to be the best available option. There are 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.

A drawing showing the proposed location for the new hackney carriage stand is provided at **Appendix 1**

- 3.12 On 17th April 2019, the Licensing Committee considered a report concerning the proposal to relocate the appointed stand for hackney carriages in the Market Street service road (the bus station). Members resolved to instruct officers to conduct the required consultation and any objections received to the public consultation be brought back to a meeting of the Licensing Committee for consideration.
- 3.13 The required public notice appeared in the Bromsgrove Advertiser on 8th May 2019 and gave until 5th June 2019 for objections to be made in relation to the proposals.
- 3.14 In addition to the public notice appearing in a local newspaper, all licence holders were written to in order to make them aware of the proposals and inviting them to make comment on them. Public notices were also put up on lampposts adjacent to the existing hackney carriage stand and the location of the proposed stand. The Chief Officer of Police has also been consulted on the proposals with correspondence sent via the Bromsgrove Safer Neighbourhood Team Inspector and Sergeant.
- 3.15 Licensing Officers have had concerns about the proposals raised verbally by some licence holders both on the phone and at licensing surgeries. Some licence holders have verbally suggested alternatives to the location being proposed. Officers reminded these licence holders of the opportunity to respond in writing to the formal consultation exercise, however despite this, no written responses have been received from any licence holders.

- 3.16 An emailed response has been received from the County Councillor for the Bromsgrove Central Division, Councillor Rita Dent. Councillor Dent raises some concerns about the proposals that she believes need to be given consideration. A copy of Councillor Dent's email can be seen at **Appendix 2.**
- 3.17 Members are asked to consider the response received to the consultation on a proposal to relocate the current appointed hackney carriage stand in the Market Street service road and decide if they wish to proceed with the proposed relocation of the stand for hackney carriages and, if so, to delegate authority to officers to carry out the legal process required in consultation with the officers delivering the Worcestershire County Council project to make improvements to walking and cycle routes around Bromsgrove.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

- Appendix 1 – Drawing showing proposed location of hackney carriage stand.
- Appendix 2 – Response from County Councillor for the Bromsgrove Central Division, Cllr Rita Dent.

AUTHOR OF REPORT

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