

LICENSING REGULATORY COMMITTEE

Local Government (Miscellaneous Provisions) Act 1976 – Proposed Creation of Two Hackney Carriage Stands on the University of Lancaster Campus 13 February 2014

Report of Licensing Manager

PURPOSE OF REPORT

The report is to seek Members' approval of proposals to create two additional hackney carriage stands on the Lancaster University Campus

This report is public

RECOMMENDATIONS

1. To indicate that, subject to public advertisement, the Committee would be minded to appoint hackney carriage stands at the following locations on the Lancaster University Campus
 - a) Bowlands Avenue South – a stand for 3 taxis 24 hours
 - b) South West Drive – a stand for 2 taxis 24 hours
 2. To authorise the Chief Officer (Governance), in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976, to advertise the proposed new hackney carriage stands.
- 1.0 Report**
- 1.1 Members may be aware that for some time there has been a need for hackney carriage stands on the campus at Lancaster University.
 - 1.2 Officers have been liaising with staff at the University and 2 locations have now been identified and approved by the management team there, as set out above. Plans of the area are attached at appendix 1 to this report.
 - 1.3 Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 a district council may from time to time appoint stands for hackney carriages for the whole or any part of a day in any highway in the district which is maintainable at the public expense and, with the consent of the owner, on any land in the district which does not form part of a highway so maintainable and may from time to time vary the number of hackney carriages permitted to be at each stand.
 - 1.4 Before appointing any stand for hackney carriages or varying the number of hackney carriages to be at each stand in exercise of the powers of section 63,

a district council shall give notice to the chief officer of police for the police area in which the stand is situated and shall also give public notice of the proposal by advertisement in at least one local newspaper circulating in the district and shall take into consideration any objections or representations in respect of such proposal which may be made to them in writing within twenty-eight days of the first publication of such notice.

1.5 Nothing in Section 63 empowers a district council to appoint any such 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 'bus 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;

and in deciding the position of stands a district council shall have regard to the position of any bus stops for the time being in use.

1.6 The highway at the University is not maintained at public expense and therefore it is private land, however there still remains the requirement to formally adopt the stands. There will be no requirement to request Traffic Regulation Orders from the Highways Authority, and the cost of the ranks and signage will be covered by the University.

2.0 CONCLUSION

2.1 Members are therefore requested to approve the proposals to create the additional hackney carriage stands as outlined in the report, and to authorise the Chief Officer (Governance) to give notice in accordance with Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None applicable to this report.

FINANCIAL IMPLICATIONS

The costs of advertising for the purpose of the requirements of the Local Government (Miscellaneous Provisions) Act 1976 can be met from the existing 2013/14 advertising budget.

LEGAL IMPLICATIONS

These are contained within the report.

BACKGROUND PAPERS**Contact Officer:** Mrs W Peck**Telephone:** (01524) 582317**E-mail:** wpeck@lancaster.gov.uk**Ref:** WP