

LICENSING REGULATORY COMMITTEE

**Local Government (Miscellaneous Provisions) Act 1976 –
Proposed Review of the Hackney Carriage Stand at the
Arndale Centre, Market Street, Morecambe
16th October 2014**

Report of Licensing Manager

PURPOSE OF REPORT

The report is to seek Members' approval of the commencement of a consultation on the review of the hackney carriage stand at the Arndale Centre in Morecambe which has been proposed as part of the Morecambe Area Action Plan.

This report is public

RECOMMENDATIONS

- (1) To indicate that, subject to consultation, the Committee would be minded to approve the proposed changes to the hackney carriage stand at the Arndale Centre, Market Street, Morecambe.
 - Remove the 8 taxi bays and 4 feeder bays from the east side of Market Street (as existing) and instead provide a 35 metre bay for 6 taxis along the west side of Market Street
- (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 stand.

1.0 Introduction

- 1.1 Members will be aware that there is currently a Morecambe Area Action Plan (MAAP), and these changes are part of that overall plan.
- 1.2 The MAAP is much about restructuring the heart of the town so it draws people in and makes it function better for pedestrians – and in turn so people stay longer and spend more to the benefit of trading. The MAAP identifies a lack of quality places landward of the seafront and it contains many actions to remedy this and strengthen the town centre including (as per Action Set 8) to transform the street space between Barclays and the Post office as a public place with real quality.

- 1.3 Cabinet approved proposals for this in April 2014 and regeneration and planning officers have been working on these since and detailing a range of interrelated traffic changes to make the transformation possible. This work has included informal consultations with businesses and stakeholders including the Lancaster City Hackney Proprietors' Association.
- 1.4 The proposal is to put the taxi rank in what is understood to be the preferred location of drivers alongside the Post Office and switch disabled parking spaces to the side by the Arndale Centre (where the existing rank is). This will enable taxi passengers to alight direct onto the pavement, drivers to readily turn round a new turning facility on Market Street and pick up close by the Arndale Centre entrance and will benefit disabled drivers who will be able to alight straight onto the pavement. In turn these measures help make it possible to free up traffic space just to the north, narrow the carriageway and make a much better and safer pedestrian environment.
- 1.5 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.
- 1.6 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 this section, 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.
- 1.7 Nothing in Section 63 shall empower 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.
- 1.8 Subject to the Committee's decision to proceed with the review of the hackney carriage stand as set out in the report and following the outcome of the required consultation process above, it would then be necessary to request the County Highways Authority to implement procedures to create appropriate Traffic Regulation Orders since the proposed changes at the specified sites would affect existing

parking restrictions. Such process would also involve a further formal consultation process.

2.0 Conclusion

Members are requested to approve the amendment to the hackney carriage stand, as set out in the report, and to authorise the Chief Officer (Governance) to publish the notice in the newspaper as required by the legislation.

CONCLUSION OF IMPACT ASSESSMENT

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

None applicable to this report

FINANCIAL IMPLICATIONS

If the proposals are approved the funding of the Stands and associated works in Morecambe will be funded through the Morecambe Area Action Plan.

The costs of advertising for the purpose of the requirements of the Local Government (Miscellaneous Provisions) Act 1976 will be met from the 2014/115 advertising budget.

LEGAL IMPLICATIONS

These are contained within the report.

BACKGROUND PAPERS

None.

Contact Officer: Wendy Peck

Telephone: 01524 582317

E-mail: wpeck@lancaster.gov.uk

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