

# **Cherwell District Council**

## **Licensing Committee**

**16 December 2013**

### **Proposed Stand for Hackney Carriages**

## **Report of Head of Community Services**

This report is public

### **Purpose of report**

The new development in Bicester, Pioneer Square, incorporated provision for a stand for Hackney Carriages to assist in the provision of public transport within the town. In order for this stand to be effective, the Licensing Authority has consulted in accordance with the Local Government (Miscellaneous Provisions) Act 1976 to formally adopt the stand. This report seeks approval from the Licensing Committee to formally adopt the stand.

### **1.0 Recommendations**

The Licensing Committee is recommended to:

- 1.1 Consider the responses submitted during the consultation period and approve the adoption of the new stand
- 1.2 Authorise the Head of Community Services to arrange for the relevant signage to be put in place for the stand to become effective

### **2.0 Introduction**

- 2.1 Under Sections 63 and 64 of Part II of the Local Government (Miscellaneous Provisions) Act 1976, the Council has the power to adopt stands within its District to be used by Hackney Carriage Vehicles.
- 2.2 On 13 December 1978, at a meeting of its Environmental Services Committee, the Council adopted Part II of the Local Government (Miscellaneous Provisions) Act 1976 (the Act) to come into force on 1 April 1979.
- 2.3 In accordance with the Act, a 28 day consultation has been undertaken which runs until 12 December 2013. The consultation has been advertised through a site notice at the location of the proposed stand, the Council offices

throughout the district, by public notice and upon the council's online consultation portal

- 2.4 In addition, the consultation was also notified to the Chief Officer of Thames Valley Police and the Highways Agency
- 2.5 A copy of the consultation notice is attached at appendix 1 along with a site plan showing the location of the proposed stand is at Appendix 2.
- 2.6 Currently, there is a stand for eight Hackney Carriage Vehicles located in Market Square, Bicester. The trade have requested provision for further stands on several occasions however, until now there has not been a suitable location for such a provision. The location of this new stand would ensure that there is provision for Hackney carriages to offer their services effectively and conveniently to the public in Bicester due to the differing locations servicing both the new development at Pioneer Square and the existing businesses in Sheep Street, Market Square and surrounding areas.
- 2.7 By formally adopting the stand in accordance with the legislation, the Hackney Carriage trade can be supported by the Licensing Authority and local police by ensuring only Hackney Carriages use the stand
- 2.8 Private Hire Vehicles are not permitted to 'ply for hire' or use Hackney Carriage Stands. However, it should be noted that the Pioneer Square development has made provision for private hire vehicles to drop off and collect their fares within the car park at the location.
- 2.9 At the time of writing this report, the consultation period had not ended. To date, no responses had been received. The Licensing Committee will be updated on this status in the meeting of the Committee on 16 December 2013.

### **3.0 Report Details**

- 3.1 A copy of the consultation notice is attached at appendix 1 along with a site plan showing the location of the proposed stand is at Appendix 2.
- 3.2 The consultation has been undertaken in accordance with the Local Government (Miscellaneous Provisions) Act 1976

### **4.0 Conclusion and Reasons for Recommendations**

The Committee is requested to:

- Consider the responses submitted during the consultation period and approve the adoption of the new stand
- Consider any further responses received by the end of the consultation period

- Authorise the Head of Community Services to arrange for the relevant signage to be put in place for the stand to become effective

## **5.0 Consultation**

At the time of writing this report, no responses have been received. The consultation ends on 12 December 2013. The Committee will be updated as to the status of responses within the meeting of 16 December 2013 and any further responses received will be brought to the meeting.

## **6.0 Alternative Options and Reasons for Rejection**

The following alternative options have been identified as set out below.

Option 1: Consider the responses submitted during the consultation period and approve the adoption of the new stand. Authorise the Head of Community Services to arrange for the relevant signage to be put in place for the stand to become effective

Option 2: Consider the responses submitted and refuse the adoption of the stand.

## **7.0 Implications**

### **Financial and Resource Implications**

- 7.1 There are no financial effects from adopting the Stand other than the cost of communicating it to the licensed trade and advertising its existence to the general public. There is existing budget provision to cover these costs including printing and postage.

Comments checked by: Yvonne White, Service Accountant, 01295 221737  
[yvonne.white@cherwell-dc.gov.uk](mailto:yvonne.white@cherwell-dc.gov.uk)

### **Legal Implications**

- 7.2 Adoption of the Stand will allow the Licensing Authority to carry out proportionate enforcement in relation to this new stand and in support of the licensed hackney carriage trade. Failure to adopt the Stand would not permit such actions to be taken.

Comments checked by Paul Manning, Solicitor 01295 221691  
[paul.manning@cherwell-dc.gov.uk](mailto:paul.manning@cherwell-dc.gov.uk)

### **Wards Affected**

Bicester Town

### **Links to Corporate Plan and Policy Framework**

As detailed in the current Service Plan

**Lead Councillor**

None

**Document Information**

<b>Appendix No</b>	<b>Title</b>
1	Consultation Notice
2	Site Plan of proposed stand
<b>Background Papers</b>	
None	
<b>Report Author</b>	Claire Bold, Licensing Team Leader
<b>Contact Information</b>	01295 753744 claire.bold@cherwell-dc.gov.uk