

## AGENDA ITEM: 7

### SUMMARY



<b>Report for:</b>	<b>Licensing Health &amp; Safety Enforcement Committee</b>
<b>Date of meeting:</b>	<b>27<sup>th</sup> November 2012</b>
<b>PART:</b>	<b>1</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Appointment of Hackney Carriage Stands</b>
Contact:	Ross Hill – Licensing Team Leader, Legal Governance
Purpose of report:	To advise of proposals to create two new hackney carriage stands in Hemel Hempstead town centre
Recommendations	<ol style="list-style-type: none"><li>1. To give public notice of the proposed appointment of two new stands, and the revocation of an existing stand, in accordance with statutory requirements;</li><li>2. To delegate authorisation to confirm the appointment of these stands and the revocation of the existing appointment to the Assistant Director (Legal, Democratic &amp; Regulatory Services) in the absence of objections.</li></ol>
Corporate objectives:	Dacorum Delivers <ul style="list-style-type: none"><li>• Appointment will enable enforcement action to be taken in respect of breaches of byelaws and conditions.</li></ul>
Implications:	<u>Financial</u> A proposal to appoint new taxi stands must be advertised in a local newspaper, with an attendant cost. Signage/road marking costs are included within the Highways works program.  <u>Value for Money</u> Not applicable.
Risk Implications	None
Equalities Implications	None

Health And Safety Implications	None
Consultees:	Public notice of any proposals to adopt taxi stands must be given, and an opportunity given for any objections to be made
Background papers:	
Glossary of acronyms and any other abbreviations used in this report:	

## 1. BACKGROUND

- 1.1. Under section 63 of the Local Government (Miscellaneous Provisions) Act 1976, district councils “may from time to time appoint stands for hackney carriages... in any highway in the district which is maintainable at public expense”, so long as such as the stand would not prevent access to any premises, does not impede the usage of bus stops, stations or depots, and has the consent of the highways authority.
- 1.2. While traffic regulation orders can be used to prevent other vehicle types from stopping in a designated stand, and to authorise the issuance of penalty tickets to vehicles that breach such restrictions, appointment under the 1976 Act must be undertaken in order to enforce local byelaws and conditions, including the requirement for hackney carriages to proceed to an available stand when not in use, and to give effect to the offence at section 64 of the 1976 Act
- 1.3. The Act requires that notice of any proposal to create stands is given to the chief officer of police for the area, and published in at least one local newspaper circulating in the district. Any written objections or representations received in the period of 28 days from publication of the notice must be taken into consideration before a final decision is made.

## 2. WATERHOUSE STREET

- 2.1. A scheme of highways works were undertaken in September 2012 in Waterhouse Street, Hemel Hempstead, by contractors on behalf of Hertfordshire Highways. The works have seen the provision of a new space for use as a taxi stand adjacent to Bank Court. Hertfordshire County Council have previously passed a traffic regulation order preventing any other type of vehicle (excepting emergency services) from stopping in this space.
- 2.2. It is therefore proposed that the location extending from a point 7 metres south of a point in line with the projected south kerbline of Bank Court southwards for approximately 16 metres to a point 6.5 metres north of a point in line with the projected north kerbline of the access road leading to the rear of Lord Alexander House, be appointed as a Hackney Carriage Stand, to be known as the Waterhouse Street (Bank Court) stand. The stand will be designated for use 24 hours a day, accommodating up to 3 hackney carriages.

- 2.3. The new stand has replaced another larger stand a short distance away, on the east side of Waterhouse Street adjacent to Lord Alexander House, between a point 4.5 metres south east of a point in line with the projected south east kerbline of the access road leading to Riverside south eastwards for approximately 47 metres to a point 5 metres north of a point in line with the projected north kerbline of the access road leading to Lord Alexander House. This space, which has largely fallen into disuse by hackney carriages, has now been returned to its former usage as a bus stop, and as such it is proposed to revoke the previous appointment of this space as a stand.
- 2.4. The existing 'drop-off' spaces for use by taxis, on the west side of Waterhouse Street adjacent to the Water Gardens and opposite Lord Alexander House, have not been affected by this scheme.

### **3. HIGH STREET, OLD TOWN**

- 3.1. As part of a general scheme of improvement works to High Street, Hemel Hempstead Old Town, expected to take place in February or March 2013 (subject to confirmation), a new night-time taxi stand is to be created outside the Old Town Hall venue. Hertfordshire County Council are expected to publish a draft traffic regulation order in respect of this scheme of works in mid-November 2012.
- 3.2. A precise geographic description of the new stand is not available at the time of writing; however, the stand would extend from a point opposite 31 High Street in a northerly direction for approximately 45 metres, to a point opposite 49 High Street. It is proposed that this site be appointed as a Hackney Carriage Stand, to be known as the High Street (Old Town Hall) stand. The stand will be designated for use from 18:00 hours to 08:00 hours, Monday to Sunday, accommodating up to X hackney carriages.
- 3.3. Outside of the above mentioned hours, the stand would be utilised partly as a loading bay, and partly as a parking bay.

### **4. RECOMMENDATIONS**

- 4.1. That the proposals to appoint new hackney carriage stands under section 63 of the Local Government (Miscellaneous Provisions) Act 1976 on Waterhouse Street (adjacent to Bank Court), Hemel Hempstead, and on High Street (adjacent to the Old Town Hall), Hemel Hempstead; and to revoke the previous appointment of a taxi stand on Waterhouse Street (adjacent to Lord Alexander House), Hemel Hempstead, be notified to the Chief Officer of Police and published in a local newspaper; and
- 4.2. That authority to confirm the appointment of these stands, in the absence of any relevant written objections or representations received within 28 days of the first publication of the notice referred to in the preceding paragraph, be delegated to the Assistant Director (Legal, Democratic & Regulatory). Should objections or representations be received, the matter will be referred back to a future meeting of the Committee for consideration.