

**TELFORD & WREKIN COUNCIL**

**CABINET – 28 JANUARY 2016**

**DELEGATION OF POWERS TO APPOINT HACKNEY CARRIAGE STANDS  
WITHIN THE BOROUGH**

**REPORT OF ASSISTANT DIRECTOR: HEALTH WELLBEING & PUBLIC  
PROTECTION**

**LEAD CABINET MEMBER – CLLR RICHARD OVERTON**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 a district/borough council may appoint stands for hackney carriages. This report seeks cabinet approval to delegate the local authority's powers in this respect to the Council's Licensing Committee, Public Protection Service Delivery Manager and to the Principal Licensing Officers. In addition delegation is sought to revoke the necessary sections of the Byelaws made under the provisions of Section 68 of the Town Police Clauses 1847 and under Section 171 of the Public Health Act 1875 for Hackney carriage stands.

**2. RECOMMENDATIONS**

**2.1 To delegate its powers under section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to the Licensing Committee, Public Protection Service Delivery Manager and Principal Licensing Officers to approve the appointment of hackney carriage stands subject to the following:-**

**2.1.1 The Public Protection Service Delivery Manager and the Principal Licensing Officers be delegated to appoint any stand for hackney carriages or vary the number of hackney carriages to be at each stand in accordance with section 63 where the Authority has not received any objections;**

**2.1.2 The Licensing Committee be delegated to appoint any stand for hackney carriages or vary the number of hackney carriages to be at each stand in accordance with section 63 where the Authority has received any objections.**

**2.2 That Cabinet delegate authority to the Assistant Director with responsibility for Public Protection, in consultation with the relevant Cabinet Member, to take the necessary steps to revoke the Byelaws dated 17<sup>th</sup> February 1975 made under the provisions of Section 68 of the Town Police Clauses Act 1847 and under Section 171 of the Public Health Act 1875 for Hackney carriage stands.**

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-operative Council priorities?	
	Yes	Protect and Support vulnerable children and adults. Protect and create jobs as a Business Supporting, Business Winning Council.
	Will the proposals impact on specific groups of people?	
	Yes	Ensure that neighbourhoods are safe. Adequate local taxi services are considered an important and legitimate part of the transport system.
<b>TARGET COMPLETION/DELIVERY DATE</b>	Following consultation it is hoped that all Taxi ranks can be 'appointed' and properly marked by 30/6/2016.	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	Yes	The designation of taxi ranks will require road markings and signage which will be funded through the existing Highways Capital Programme or revenue budgets. The management and costs of enforcement and prosecution will be contained within existing Public Protection resources and revenue budgets. JAC 011215
<b>LEGAL ISSUES</b>	Yes	Under S63 of the Local Government (Miscellaneous Provisions) Act 1976 a district/borough council may from time to time appoint stands for hackney carriages for the whole or part of a day in any highway in the district/borough which is maintainable at the public expense and with the consent of the landowner, on any land in the district/borough which does not form any part of a highway and may

		from time to time vary the number of hackney carriages permitted to be at each stand.  TS 30 November 2015
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	<i>Opportunities</i> – will enhance transport facilities for commuters, in particular those who may have reduced mobility <i>Risk</i> – None
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	This report has Borough wide implications

## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

- 4.1 Once Cabinet have agreed the delegation the Principal Licensing Officer will put in place the relevant consultation immediately accompanied by the draft orders to appoint hackney carriage stands within the borough.
- 4.2 The Byelaws relate to 7 hackney carriage stands of which only one hackney carriage stand is still in existence. To reflect the current provision of Hackney stands and to ensure effective enforcement the Byelaws need to be revoked and replaced.
- 4.3 Licensing and enforcement duties in respect of hackney stands are contained within the Local Government (Miscellaneous Provisions) Act 1976 and can be enforced by delegated officers of the Council and/ or police constables.

### **5. PREVIOUS MINUTES**

- 5.1 There are no previous Minutes.

### **6. BACKGROUND PAPERS**

- 6.1 Local Government (Miscellaneous Provisions) Act 1976

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