

Report to: Licensing and Enforcement Committee



Date of Meeting 13 March 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Review of taxi rank provision in East Devon and proposals for amendment

Report summary:

The Licensing and Enforcement Committee is asked to consider a request from Devon County Highways to undertake improvement and several amendments to taxi ranks within East Devon following a review of taxi rank provision across the District Council area.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Committee consider the proposals for improvement and amendment of East Devon Taxi ranks put forward by Devon County Council Highways and to consider the options contained in this report following consultation with the taxi trade.

1. To exercise the Council's powers under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to approve the plans to upgrade the status of the ranks in local traffic orders and to improve signage and markings and to consider the amendments of the existing taxi ranks as set out in 1.2.1 to 1.2.5 of this report.
2. That the requisite public notice be given of the proposed appointment as required by Section 63(2) of the Local Government (Miscellaneous Provisions) Act 1976.
3. That if no written objection or representation is received relating to the notice given under Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976 within the 28 day period following recommendation will be deemed appointed.
4. That following the appointment of the taxi ranks Devon County Council Highways Authority be requested to put in place the appropriate legal provisions and to mark out the ranks.

Reason for recommendation:

Devon County Council Highways have conducted a review of the taxi rank provision across the East Devon District and have submitted proposals to upgrade and amend the taxi rank provisions. East Devon District Council have consulted with the taxi trade and Members are asked to consider the responses from the consultation.

Officer: Phillippa Norsworthy, Licensing Manager (Governance and Licensing)

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning

- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; [Click here to enter text on risk considerations relating to your report.](#)

Links to background information N/A

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

APPENDICES

APPENDIX A – Summary of taxi rank proposals.

APPENDIX B – Taxi Rank Proposals – Plans.

APPENDIX C – Copy of the consultation letter to HCD and Proprietors.

APPENDIX D - Table of Consultation Responses.

APPENDIX E – Example of Public Notice.

Report in full

1 Background

- 1.1.1 Officers from Devon County Highways have undertaken a review of the taxi rank provision in conjunction with East Devon District Council Licensing Authority and have submitted proposals for the upgrade and amendment of taxi rank provision in East Devon. A copy of the written proposals are attached at **APPENDIX A**, and in plan form at **APPENDIX B**.
- 1.2.1 The majority of the proposals are in respect of plans to upgrade the status of the ranks in local traffic orders and to improve marking and signage. Additionally, several proposals include recommendations for the amendment of existing taxi ranks as summarised below:
- 1.2.2 Proposal 3: Victoria Road Exmouth: Removal of one car space on the existing taxi rank to facilitate a time-limited disabled space (as well as upgrade of the rank designation to 'no stopping at any time').
- 1.2.3 Proposal 10: Marine Place Seaton: Removal of the existing rank to facilitate seafront development works, and relocation to Castle Hill. This proposal was previously fully consulted upon and approved and is due to be actioned shortly.
- 1.2.4 Proposal 14: Silver Street, Axminster: Relocation of the existing rank to outside the bank in order to improve visibility of the rank (as well as upgrade of the rank designation to 'no stopping at any time')
- 1.2.5 Proposal 17: Mill Street Ottery St Mary: Removal of the taxi rank space and conversion to 'Limited Waiting Mon-Sat 9am-6pm 1 Hour No Return Within 2 Hours'.

- 1.2.6 On 15 November 2023, the Licensing and Enforcement Committee agreed for a consultation regarding the proposed upgrades and amendments to the East Devon's taxi ranks to take place with the hackney carriage drivers and proprietors.
- 1.2.7 A letter was duly forwarded to all hackney carriage drivers and proprietors advising them of the proposed amendments and asking them for their feedback and comments. A copy of the letter can be found at **APPENDIX C**. The consultation was in place from 27 November 2023 on 8 January 2024.
- 1.2.8 A total of eight responses, including a response from the East Devon Taxi Association with photographs were received and these can be viewed at **APPENDIX D**.

2 Legal

- 2.1.1 Under Section 63(1) of the Local Government (Miscellaneous Provisions) Act 1976 the district council can appoint stands (ranks) for taxis either on public highways or private land and the stands can be for continual or part time use. The district council can also determine the number of hackney carriages that can use a stand and has the power to vary the numbers. If the land is to be on the public highway the consent of the highway authority is required. It also requires that notice must be given to the Chief Officer of Police.
- 2.1.2 Although the district council has the responsibility to appoint ranks it has to be done with the approval of the highway authority at Devon County Council. Before a rank can come into use the highway authority needs to designate the rank with a traffic order and have it signed and marked on the highway. This involves a considerable cost to implement, and the costs of amendment to traffic orders and marking the highway are proposed to be undertaken by Devon County Highways in this instance as part of a full review of taxi rank provision in East Devon. There is also a financial implication for the district council through the need for a public notice outlining the proposal at a later stage in a local newspaper.
- 2.1.3 District (and City) Councils have a duty to provide taxi ranks for the taxi trade as licensed taxis need ranks from which to operate. Overall, the proposals if implemented as set out in **APPENDICES A and B** would result in the loss of one taxi rank space in Exmouth, and one in Ottery St Mary respectively, as well as the relocation of two taxi ranks, and is balanced against improved signage and marking proposals for taxi ranks across the District.

3 Post Consultation.

- 3.1.1 The outcome of the consultation has been reported back to the Licensing and Enforcement Committee to allow a decision as to whether to exercise the Council's powers under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.
- 3.1.2 Should the Committee approve the proposed changes following the consultation, Section 63 (2) of the Local Government (Miscellaneous Provisions) Act 1976 requires that a public notice be placed in a local newspaper providing residents the opportunity to make representations. This can be found at **APPENDIX E**. Representations must be made within a 28-day period from the date of publication. Should any objections be received and not withdrawn the matter would then need to be returned for further reconsideration by members.

Financial implications:

“Advertisement costs for public notices (if subsequently applicable), and officer time will be met in full from Taxi/ Private Hire applications and renewal fees income.

Legal implications:

“There are no additional legal implications requiring comment”