

Report to: **Licensing and Enforcement Committee**

Date of Meeting: 18 September 2019

Public Document: Yes

Exemption: None



Agenda item: 7

Subject: **The Licensing and Enforcement Committee is asked to consider a request from Seaton Town Council for the removal of the taxi rank in Marine Place which is to be relocated nearby, on the same side of the road on Castle Hill, Seaton. The request is part of the Town Council's seafront enhancement proposals.**

Purpose of report: To consider accommodating the change needed for the redevelopment of Seaton town centre seafront.

Recommendation: **That the Committee consider a request from Seaton Town Council to relocate the Hackney Carriage rank from Marine Place to Castle Hill, Seaton and to approve the options contained in this report to commence consultation with the taxi trade.**

Reason for recommendation: The Town Council has made this request which will require a series of legal steps to be taken before adopting the change.

Officer: Steve Saunders, Licensing Manager

Financial implications: Advertisement costs for public notices and officer time

Legal implications: The legal implications are explained within the body of the report.

Equalities impact: Low Impact

Risk: Low Risk

Appendices:

Appendix A – Minutes of Seaton Town Council's meeting to request consulting on relocating the taxi rank

Appendix B – Plan showing the location of taxi ranks at Marine Place and Castle Hill, Seaton

Link to Council Plan: Living in, working in, enjoying and funding this outstanding place

1 Background

1.1 The Licensing Authority has received a request from Seaton Town Council for removal of the taxi rank currently sited on Marine Place, Seaton and for it to be relocated to Castle Hill, being a short distance on the same side of the road. A copy of Town Council's minutes of a meeting on 19th August requesting EDDC consult the taxi trade appears at **Appendix A**. The reason for this request is that Seaton seafront is being redeveloped to update the road layout including pedestrianisation and other alterations to enhance the area.

- 1.2 The existing taxi rank in Marine Place is one of four dedicated taxi ranks in Seaton having been formally adopted for that use in 2010 and provides two spaces for taxi vehicles. At present the hackney carriage ranks in Seaton are as follows:
- (a) Marine Place 2 spaces
 - (b) Fore Street (west side of the road) 2 spaces
 - (c) Fore Street (east side of the road) 2 spaces
 - (d) Queen Street 1 space
- 1.3 The current taxi rank would be removed because of the redevelopment of the seafront area being proposed across a wider area of roads and highways than just Marine Place, hence the alterations requiring removal of the taxi rank from its existing place.
- 1.4 The redevelopment project is being managed by NDM Collins Architects of Seaton. A plan prepared by the architect showing the location of the existing taxi rank in Marine Place together with the proposed new site in Castle Hill appears in **Appendix B**. The new proposed location is on the same side of the road as Marine Place, being across the junction with Sea Hill and being a distance of less than 50 metres from the current and proposed location.
- 1.5 The relocated taxi rank will provide one space for a taxi vehicle and would be based at the start of a new bus stop bay that would see both the taxi rank and bus bays connected.
- 1.6 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 also 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.
- 1.7 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 also have it signed and marked on the highway. This involves a considerable cost to implement and the revised works are as a result of Seaton Town Council redeveloping the seafront with the Town Council meeting costs incurred by marking the new rank if approved. 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.
- 1.8 District (and City) Councils have a duty to provide taxi ranks for the taxi trade as licensed taxis need ranks from which to operate. If this rank is relocated there would still be four legally enforceable taxi ranks in Seaton. The proposed change by moving a rank of two vehicle spaces to a rank for one vehicle space still offers a taxi rank near to the seafront from which licensed hackney carriage drivers can operate their trade and which the public can still gain access to.
- 2 Proposed consultation
- 2.1 The Licensing Authority propose consulting the local taxi drivers who regularly use the rank in Seaton subject to approval from this Committee commencing from 19th September to 10th October for a period of three weeks. Although this is a relatively short period of time, the taxi trade in Seaton is aware of the redevelopment and the period will allow sufficient time for responses to be provided.

- 2.2 If approved, the result of the consultation will be available to members at the meeting on Wednesday 16 October. There has been a general consultation undertaken locally in relation to the whole of the regeneration scheme through the planning application.
- 2.3 Should the Committee approve going ahead with relocating the taxi rank following the consultation, legislation requires that a public notice be placed in a local newspaper providing local residents the opportunity to make representations. 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.
- 2.4 In view of the frequency of Licensing and Enforcement Committee meetings, it has been necessary to convene this extra meeting to seek approval for the first stage to begin by consulting the taxi trade. The outcome of that consultation will be reported back to this Committee to allow a decision whether to exercise the Council's powers under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to appoint the rank in Seaton through then circulating the public notice.
- 2.5 It is considered by the Town Council and the Licensing Authority that the proposal to relocate rather than completely removing the taxi rank is a positive outcome despite being one vehicle space less. It still provides a location in the same area of Seaton from where the trade can continue to operate and from where the public can obtain a taxi.