

Report to: Licensing and Enforcement Committee
Date of Meeting: 12 February 2020
Public Document: Yes
Exemption: None



Agenda item: 8

Subject:

Update on Seaton Town Council's request to remove the taxi rank in Marine Place and to relocate it on Castle Hill, Seaton.

Purpose of report:

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

Recommendation:

That the Committee note the update

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 – Letter to DCC Highways 21.10.2019

Appendix B – Letter to DCC Highways 11.12.2019

Appendix C – Email from DCC Highways

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

1 Background

- 1.1 At the last meeting of this Committee on 16th October 2019 it was reported that a request had been received 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. 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. That work is anticipated to begin in early 2020.
- 1.2 The Committee considered the responses for relocating the taxi rank and resolved to approve the following, namely;
 - a) To exercise the Council's powers under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 to appoint the rank in Castle Hill, Seaton
 - b) 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.

- c) 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 the publication of that notice the rank subject of this recommendation will be deemed appointed.
- d) That following the appointment of the taxi rank Devon County Council Highways Authority be requested to put in place the appropriate legal provisions and to mark out the rank

- 1.3 Following the meeting, the Licensing Manager submitted the necessary letter (**Appendix A**) to the head of the highway authority to seek engagement and views of the authority in accordance with point 1.2 (d) on 21st October 2019, 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 to designate each rank with a traffic order and to have it signed and marked. The Licensing Manager had previously sought the views of Devon County Highways Neighbourhood Highway Engineer reporting to the members in October that a response was then awaited. The latest letter further raised the question of Devon County Highways engaging in this matter without which it will not be possible to proceed.
- 1.4 The Licensing Manager provided an update to the Seaton Town Council project team and to the appointed architect upon writing again to Devon County Highways.
- 1.5 On 11th December 2019, the Licensing Manager submitted a further letter to the Devon County Highways Neighbourhood Highway Engineer because a response had not been received to that sent in October (**Appendix B**). The later letter was sent in conjunction with unrelated issues regarding taxi ranks in Honiton and Ottery St Mary that have been raised by the taxi trade with Licensing Authority.

2 Devon County Highways Response

- 2.1 On 11th December 2019, the Licensing Manager received an email in response to the letters sent to the Devon County Highways (**Appendix C**). The response outlined concerns that do not presently allow progress for re-siting the rank in Seaton and seeking a further update from the project developer, namely;
- a) Concerns about the accuracy of the plan (the size and layout),
 - b) Concerns about taxis accessing the rank and buses accessing the bus stop,
 - c) Concerns that relocating the bus stop nearer the junction with Seahill will severely restrict visibility at the junction and therefore could not approve this, which in turn is likely to prevent the provision of a taxi space behind,
 - d) Requesting a more detailed plan that clearly shows the access to Beaumont so that we, and the residents of this property, can clearly see the impact on this access.
 - e) Insufficient information to make an informed decision on the proposed relocation and therefore cannot support the proposal at this time.
 - f) No comments were offered regarding the reduction of spaces and were deferred to the licensing authority regarding this element.

- 2.2 NDM Collins Architects and the project team from Seaton Town Council were informed of the response received from Devon County Council Highways and have had further contact since with regard to how this matter may proceed.

3 Next Steps

- 3.1 In order to progress relocating the taxi rank in Seaton it is still necessary to undertake the full steps that this Committee resolved under point 1.2 (d) of this report. Given that the highways authority has required the need for further information from the project team before it can provide the necessary engagement, the Licensing Authority cannot proceed further with the resolution at this time.
- 3.2 It is the responsibility of the highway authority to properly design, plan and maintain road schemes ensuring the safety of all road users.
- 3.3 The Licensing Manager maintains contact with NDM Collins Architects of Seaton who in turn maintain contact with Devon County Highways. Should the redevelopment project and those involved subsequently reach agreement regarding requirements for relocating the taxi rank, then the requisite public notice to propose appointment of a new rank can be undertaken (under point 1.2 (b)).
- 3.4 Should a further location or different option be proposed to that agreed under this resolution, it will require a fresh review and decision from this Committee.
- 3.5 Any updates or proposed changes that are passed to the Licensing Authority will be notified to this Committee.