

Date of Meeting 18 November 2020

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## Adoption and Removal of Taxi Ranks – Seaton Town

### Report summary:

The Licensing and Enforcement Committee is asked to note the adoption and removal of Taxi Ranks in Seaton following the necessary consultation with the public and relevant authorities

### Recommendation:

**That the Committee in exercise of its powers under Sec. 63 of the Local Government (Miscellaneous Provisions) Act 1976:**

- 1) Notes the appointment of a taxi rank in Castle Hill, Seaton: North side from a point 20 metres west of its junction with Seahill for a distance of 10 metres in a westerly direction, to create 2 spaces at anytime 7 days a week, and
- 2) Revokes the taxi rank in Marine Place, Seaton: North side from a point 3 metres east of its junction with Seahill for a direction for a distance of 15 metres in an easterly direction.

### Reason for recommendation:

The Seaton seafront regeneration scheme will recommence in early 2021 and a result of redevelopment, the existing taxi rank in Seahill will no longer be available by being designed out. The siting of the new rank in close proximity will maintain the taxi rank numbers and gives licensed taxis an alternative location to trade upon completion of the regeneration.

Officer: Steve Saunders, Licensing Manager (ssaunders@eastdevon.gov.uk)

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Portfolio(s) (check which apply):

- Climate Action
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Coast, Country and Environment
- Finance
- Strategic Planning
- Sustainable Homes and Communities

### Financial implications:

Financial costs have been included within section 2.4 of the Main Body of the Report

### Legal implications:

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

**Equalities impact** Low Impact

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

## **Climate change** Low Impact

**Risk:** Choose a risk level; Low

**Links to background information** Previous Reports to Licensing & Enforcement Committee September 2019, October 2019 and February 2020

### **Link to [Council Plan](#):**

Priorities (check which apply)

- Outstanding Place and Environment
  - Outstanding Homes and Communities
  - Outstanding Economic Growth, Productivity, and Prosperity
  - Outstanding Council and Council Services
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## **Report in full**

### **1 Main Body of the Report**

- 1.1 Under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976, the district council can appoint stands for taxis on public highways and also determine the number of taxis that can use a stand along with removing (revoking) previously designated ranks when necessary. Where the land is to be on the public highway, the consent of the highway authority is required and also requires that notice must be given to the Chief Officer of Police.
- 1.2 It was previously reported at meetings of this Committee concerning a request received from Seaton Town Council to remove 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 to enhance the area. Although that work had paused, it is anticipated to begin in early 2021.
- 1.3 The Committee previously 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) To take that forward by issuing 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 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
- 1.4 All necessary steps have now been undertaken under point 1.3 including written notification to the head of the highway authority in 2019 as Devon County Council have to designate each rank with a traffic order and to have them signed and marked.
- 1.5 The procedure also required written notification to the Chief Constable of Devon and Cornwall Police. On 27<sup>th</sup> March, 2020 a response was received from the local policing Sergeant outlining this proposal was supported and that there are no objections from the police.
- 1.6 This Committee previously approved the requisite circulation of a public notice in a local newspaper to allow local residents the opportunity to make representations within a 28 day period from the date of publication. The notice was circulated in a local newspaper from 11<sup>th</sup>

March 2020 with copies also placed outside district and Seaton town council offices (**Appendix A**).

- 1.7 The 28 day notice period passed without any representations being received.

## **2 Next Steps**

- 2.1 The relevant legislation outlines that where no written objection or representations are received with regard to the notice within the 28 day period, that the rank will be deemed appointed and therefore no further resolution is required by the licensing authority.
- 2.2 The list and details of all taxi ranks will be amended in the Taxi and Private Hire Vehicle Policy in the period between the conclusion of this meeting today and upon the completion of the marking and adoption of the new rank when the Neighbourhood Highway Engineers have completed their work.
- 2.3 Contact between licensing officers and local taxi proprietors will continue regarding the final timescale of the taxi rank completion and the Licensing Manager will maintain contact with the project architect conducting the redevelopment work on behalf of Seaton Town Council.
- 2.4 Taxi and Private Hire licensing fees are set by the Council and paid by applicants and licence holders for granting and renewing licences to meet the cost of delivering the licensing regime. The fees include reasonable costs borne by the district council for providing taxi stands (ranks). The costs of officer time in this matter (report writing, meetings, site visits) together with the cost of publishing the notice in a newspaper were conservatively calculated as costing £800 to reach the conclusion of this matter today.
- 2.5 Whilst the district council has concluded the formal changes to the taxi ranks in support of the town council seafront redevelopment, the costs shown were incurred as a result of Seaton Town Council requiring removal of the rank that would not have otherwise occurred.
- 2.6 This procedure has taken a considerable period of time due to initial report in late 2019 and then more recently due to the impact of Coronavirus and the members are thanked for concluding this matter.