

Report to: Licensing and Enforcement Committee



Date of Meeting 15 November 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## 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 approve the options contained in this report to commence consultation with the taxi trade.

### Reason for recommendation:

To keep the Council's statutory committee up to date with current arrangements relating to the Licensing Service

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

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### 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

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:** 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

## Report in full

### 1 Background

1.1. Officers from Devon County Highways have undertaken a review of the taxi rank provision in conjunction with East Devon District Council Licensing, and have submitted proposals for upgrade and amendment of taxi rank provision in East Devon. A copy of the written proposals is attached at **Appendix A**, and in plan form at **Appendix B**.

1.1.2 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, and as such are very welcome. Additionally several proposals include recommendation for amendment of existing taxi ranks as summarised below:

- 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');
- 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;
- 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');

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 Legal

1.2.1 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 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.

1.2.2 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 also 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.

1.2.3 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 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.

## **2 Proposed consultation**

- 2.1 The Licensing Authority propose consulting Hackney carriage drivers and proprietors licenced in the District, and the East Devon Taxi Association, subject to approval from this Committee commencing from 27<sup>th</sup> November to 8<sup>th</sup> January for a period of six weeks.
- 2.2 If approved, the result of the consultation will be available to members at the meeting on 7<sup>th</sup> February 2024.
- 2.3 Should the Committee approve going ahead with the proposed changes 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 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 taxi ranks through then circulating the public notice.

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### **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"