

Licensing Committee Report

Ward(s) affected: Castle

Report of the Strategic Director for Place

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Report Status: Open

Review of Hackney Carriage Stands following North Street Redevelopment

1. Executive Summary

1.1 The report seeks to advise Licensing Committee of the proposed changes to Hackney Carriage Stands (Taxi Ranks) in Guildford. The report seeks the support of the Licensing Committee on the proposed changes for adoption by the Executive following the required statutory consultation.

2. Recommendation to Licensing Committee:

2.1 That the Licensing Committee recommends that the Executive subject to compliance with the statutory procedure agrees:

- the removal of the current taxi rank on North Street outside Marks and Spencer due to the future pedestrianisation of North Street
- the temporary closure of the current taxi rank on North Street outside the Friary Centre during a period of redevelopment works

- the temporary adoption of the parking bays at lower High Street outside Vision Express as a taxi rank during a period of redevelopment works
- the temporary adoption of the double yellow line at Bedford Road outside St James House as a night time taxi rank

2.2 Maps of the temporary rank arrangements are included at Appendix 1.

3. Reason(s) for Recommendation:

3.1 This proposal is part of the wider redevelopment works to Guildford town centre requiring both temporary and permanent changes to taxi ranks affected by development.

4. Exemption from Publication:

4.1 This report is not exempt from publication.

5. Purpose of Report

5.1 The purpose of this report is to outline Guildford Borough Council's proposals for changes to the current taxi rank provision necessary due to the redevelopment of North Street, and to seek the support of the Council's Licensing Committee to recommend the rank changes by the Council's Executive.

5.2 The changes will be achieved through the process prescribed under section 63 of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") to appoint or revoke ranks.

6. Strategic Priorities

6.1 The Council's Licensing function contributes to our fundamental themes as follows:

- **Homes and jobs** – supporting the local economy by ensuring any business needing a licence has one and those licensed businesses are aware of and compliant with licensing legislation and promoting the relevant licensing objectives; so as to ensure the safety and wellbeing of employees and the public in licensed establishments and vehicles.
- **Environment** – setting standards for licence holders to meet via licensing policy considering the Council’s climate emergency and aims to protect the environment so as to ensure the protection and promotion of the environment via the licensing process.
- **Community** – tackling inequality in communities by promoting a safe and inclusive licensed trade, ensuring customers with a disability are able to use licensed establishments and supporting the unemployed back into work through compliant and prosperous licensed businesses.

7. Background

- 7.1 Taxi ranks are an important part of the Nation’s transport network. Ranks are a common feature in many towns and cities and provide a location where licensed taxis can legally park to wait for a customer who wishes to use a taxi, rather than drive around town centre streets waiting to be hailed.
- 7.2 Similarly having well defined and managed rank locations improves public safety through allowing customers to easily obtain a licensed taxi service and reduces the risks associated with touting and inconvenience to customers searching the streets for a service.
- 7.3 A local authority can adopt areas on streets or private land as taxi ranks for either continual or part-time use under section 63 of the Local Government (Miscellaneous Provisions) Act 1976. The creation of a taxi rank is not a straightforward process; the local authority must obtain the permission of the Highways Authority, give notice to the Police, publish a public advertisement in a local paper and take into account any objections or representations received within 28 days of publication, before a rank is appointed.

7.4 The Act states that the same procedure must be followed to revoke or alter a rank.

7.5 Following a review of rank provision, in 2016 the Executive agreed to appoint approximately 30 new rank spaces across town. There are also ranks provided by the railway company, for which an additional fee is payable for the use of the rank, at:

- Guildford Railway Station (approx. 10 spaces)
- Guildford London Road Station (3 spaces)

7.6 As part of the wider redevelopment works to the town centre, changes are required to existing taxi ranks which will need to be removed in order to accommodate a pedestrianised area on North Street. In addition, ranks will need to be closed during a period of redevelopment works requiring temporary arrangements so as to ensure that the taxi service can still be accessed by the public.

7.8 The following permanent changes are required:

The removal of the current taxi rank at North Street – 6 spaces (24 hour operation) outside Marks and Spencer and Paperchase for a distance of 30 meters.

7.9 The following temporary changes are required:

The temporary closure of the taxi rank at North Street, off Onslow Street, outside the Friary Centre (approx. 12 spaces) for a period of three months due to development work.

The extension to the hours of operation of the part-time taxi rank at High Street (Lower end) – 4 spaces (24 hour operation) Parking Bays, outside Vision Express Opticians for a distance of 19 meters, for a period of three months during the planned closure of the taxi rank outside the Friary.

The adoption of a new taxi rank at Bedford Road – 4 spaces (21:00 to 05:00 operation) outside St James House for a distance of 23 meters.

8. Consultation

- 8.1 A meeting was held between Licensing, GBC Major Projects and the taxi trade on 12 May 2022 to highlight the impact of the North Street development on Taxi Ranks. The taxi trade were asked for their opinion on potential temporary arrangements to accommodate taxis during the closure of the main Friary Rank which officers have progressed above.
- 8.2 The taxi trade have been regularly apprised of progress with the North Street development and the above plans were outlined to the taxi trade at the most recent trade forum meeting on 23 April 2024.
- 8.3 Before ranks are adopted (or removed), legislation requires that the locations are subject to a period of consultation with the Police and the public. This is achieved by serving a notice on the Chief of Police and by publishing an advertisement in a locally distributed newspaper, allowing for a period of 28 days from the date of first publication for comments or objections to the proposals. The results of this public consultation will be considered by the Executive before deciding whether to remove the current stand.
- 8.4 However, the first stage of the formal adoption process is to seek the consent of the Highways Authority, Surrey County Council. Previously permission was sought from the SCC Area Committee however since this Committee no longer convenes SCC advise this is now approved under delegation.
- 8.5 In addition to the consultation required by law, we intend to undertake publicity of our proposals with stakeholders in the trade via our newsletter.

9. Key Risks

- 9.1 As detailed previously, Taxi ranks are an important part of the Nation's transport network and provide a location where licensed

taxis can legally park to wait for a customer who wishes to use a taxi. Having well defined and managed rank locations improves public safety through allowing customers to easily obtain a licensed taxi service and reduces the risks associated with informal arrangement.

9.2 The North Street development will bring residential, commercial and public realm improvements to Guildford. However for the Taxi trade, there is likely to be a detriment with the permanent loss of 6 rank spaces at North Street and considerable disruption caused by the closure of the main Taxi rank in town for an estimated period of 3 months during works with only limited space available as a temporary replacement.

9.3 Furthermore, the current Taxi Rank at the Friary is the main exit route out of Guildford after an evening out and consequently it has been a hot spot for potential incidents. This has been negated by the deployment of Taxi Marshals on a Friday and Saturday night funded by Experience Guildford. However when this rank is closed there are risks to potential disorder through customers needing to search for a service from new locations, which cannot be covered by one team of Marshals. Furthermore, there are risks created by informal arrangements due to congestion as only limited space has been made available.

10. Financial Implications

10.1 The cost of removing a taxi rank includes legal advertisement costs associated with the statutory process, together with the costs of removing the road markings.

10.2 The Local Government (Miscellaneous Provisions) Act 1976 allows Guildford Borough Council to recover the costs of providing taxi ranks through licence fees charged to licence holders. However funding has been sought from Regeneration Services will cover the cost of advertising and implementation of these works.

11. Legal Implications

- 11.1 A local authority can adopt areas on streets or private land as taxi ranks for either continual or part-time use under section 63 of the Local Government (Miscellaneous Provisions) Act 1976. The statutory process provides that the local authority must obtain the permission of the Highways Authority, give notice to the Police, publish a public advertisement in a local paper and consider any objections or representations received within 28 days of publication before a rank is appointed. The Council's Executive has the authority to appoint a rank after the necessary approvals and consultation.
- 11.2 Section 63(5) of the Act states that the power to appoint ranks includes the power to revoke such appointment and requires the same statutory process to be followed.
- 11.3 The adoption process will be achieved by following the statutory consultation process.

12. Human Resource Implications

- 12.1 The changes to taxi ranks caused by North Street development has required Licensing officers to divert and prioritise resources into managing these changes.
- 12.2 During the period of closure of the main rank there is likely to be a considerable demand on Officer time to resolve complaints from the trade about the limited number of temporary spaces, and additional resource required to monitor the trade to ensure informal arrangements are not disrupting other roads.

13. Equality and Diversity Implications

- 13.1 Under the general equality duty as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good

relations between people who share a protected characteristic and those who do not.

- 13.2 The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.
- 13.3 The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had due regard to the aims of equality duty. The implications of changes to the policy will be assessed when the draft policy is formulated for consultation.
- 13.4 The proposed changes to taxi ranks due to the redevelopment of North Street will need to be monitored to ensure that the public, particularly vulnerable users, can still access the taxi service.

14. Climate Change/Sustainability Implications

- 14.1 The Council's Taxi Licensing Policy is drafted recognising that the Council has declared a climate change emergency.

15. Summary of Options

- 15.1 This report seeks the support of the Council's Licensing Committee on these plans by recommending the changes to taxi ranks by the Council's Executive following the required consultation.
- 15.2 The options available to Committee are either to support the proposal or not. The final decision lies with the Executive.

16. Conclusion

16.1 Updates to taxi ranks are required due to redevelopment in Guildford with the necessary legal process to be followed to appoint and remove taxi ranks.

17. Background Papers

17.1 There are no background papers included with this report.

18. Appendices

18.1 Appendix 1 – Maps of temporary Taxi Rank arrangements

<i>Service</i>	<i>Sign off by and/or date</i>
<i>Finance / S.151 Officer – Mark Riley</i>	<i>23 May 2024</i>
<i>Legal – Barnaby Yates</i>	<i>3 June 2024</i>
<i>HR - Name</i>	
<i>Equalities - Name</i>	
<i>Lead Councillor</i>	<i>2 July 2024</i>
<i>CMB - Date</i>	<i>5 June 2024</i>

Please ensure the following service areas have signed off your report. Please complete this box and do not delete