

Licensing Committee Report

Ward(s) affected: Castle

Report of Joint Strategic Director Economy, Planning & Place, Ezra Wallace

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Report Status: Open

Review of Hackney Carriage Stands following North Street Redevelopment

1. Executive Summary

1.1 The report presents to Licensing Committee the results of the public consultation into the proposed changes to Hackney Carriage Stands (Taxi Ranks) in Guildford due to the North Street Redevelopment. The report asks Licensing Committee to recommend the Executive approve the changes following the required statutory consultation.

2. Recommendation to Licensing Committee:

2.1 That the Licensing Committee consider the consultation responses received and recommends that the Executive agrees the following temporary and permanent changes to taxi ranks:

- 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 The report also asks the Licensing Committee to recommend, that should external funding not be available to cover the cost of mitigations to improve safety during the temporary period the main rank is closed, that the Executive agree funds be transferred to the Licensing following agreement with colleagues in Regeneration to assist with mitigating the impact of the temporary closure of the main North Street Rank at the Friary. The estimated cost is £28,720 with the amount subject to final agreement with Regeneration. Alternative funding options are being explored in the meantime but this has not yet been secured.

2.3 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 seek Licensing Committee recommend that the Executive approve the temporary and permanent changes to Hackney Carriage Stands required due to the North Street Development, following the completion of the statutory consultation process.
- 5.2 The report also seeks Licensing Committee recommend Executive approve the transfer of the estimated funds from Regeneration to Licensing in the event that external funding is not secured. This is so as to ensure that mitigation can be funded to manage concerns raised regarding the temporary closure of the main rank outside the Friary to the smaller and busier Bedford Road area.
- 5.3 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:
- **A more sustainable borough**

The licensing process sets 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, balancing the needs of the licensed business community with those of residents of the Borough.

- **A more prosperous borough**

The licensing process supports the local economy by assisting business to comply with the law creating a level playing field for good businesses to thrive. Licensing also ensures that 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.

- **A more inclusive borough**

The licensing process helps tackle 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 employment of local people in local businesses through complaint and prosperous licensed businesses.

- **Decent and affordable homes**

The licensing process ensures a balance between those providing a service regulated by the Council do not do so in a way which disturbs residents in their own homes, contributing positively to local residential communities. The wider regulatory service function also licences Houses in Multiple Occupation and Mobile Home sites to ensure housing standards in these accommodations are maintained.

- **A resilient and well-managed council**

The licensing process serves our residents, businesses, and visitors where there are distinct responsibilities on the Council in its role as the 'licensing authority' under many different areas of licensing. This is not just simply relating to the processing of applications, but also includes:

- setting the local framework through a statement of licensing policy
- considering applications with a view to promoting the licensing objectives under the Licensing and Gambling Acts, or the public protection and economic growth aspects of other licensing regimes.

- undertaking inspection and enforcement activities to ensure conditions of licences are being met, and to ensure that any operator whom requires a licence has one
- maintaining the required statutory registers
- ensuring members of the licensing committee are supported to make decisions on Council Policy or individual applications.

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 and on 10 December 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.
- 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 On 24 July 2024 Licensing Committee considered a report outlining the changes above and approved the required statutory public consultation.
- 8.6 Public consultation ran from 2 August 2024 for 28 days until 30 August. This included placing the required statutory notices and informing the

Police. Furthermore the taxi trade were notified via the Council's newsletter and stakeholders were informed of the changes via multiagency groups such as JAG and Pubwatch.

- 8.7 No responses were received during the 28 day consultation period.
- 8.8 On 7 September 2024 the Licensing Lead received an email from the owner and operator of the nearby "Y" Bar and Nightclub expressing concern at the proposed rank at Bedford Road as follows:
- "We have made formal complaint that taxis are queuing on Bedford road opposite our venue legally blocking the road and junction between Bedford road and Onslow street . This is not a taxi rank and attracts crime and disorder over fighting for taxis ect ! Please let me know the policy on the taxi behaviour kind regards Michel Harper"*
- 8.9 Officers responded to the concern explaining that this was a temporary arrangement and that additional mitigations were proposed to allay concerns about driver and customer behaviour.
- 8.10 The Borough Inspector from Surrey Police has also expressed concern about the temporary rank on Bedford Road as this area already a hotspot area for incidents in the night-time economy. Discussions with the Inspector have advised that this is only a temporary arrangement and emphasised the need to ensure some rank provision for the taxi trade during the period where the Friary rank is closed, as otherwise this is likely to have a further impact on disorder. Mitigation to manage the arrangement is also proposed by way of additional marshalling, temporary lighting and CCTV and additional licensing resource.

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.
- 9.4 Mitigation is proposed by way of additional marshalling, temporary lighting and CCTV and additional licensing resource to respond to issues raised. Whilst every effort will be made to secure external funding for these costs, if funding is not available Regeneration Services have agreed in principle to cover these supported by the recommendation of Licensing Committee and Executive.

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 as this is a major project affecting the whole of Guildford it is considered unjust to pass the costs of the loss of ranks and temporary arrangements onto the small number of taxi proprietors (currently 175 licence holders).

10.3 Consequently, it has been agreed that funding costs will be born by Regeneration including the cost of advertising and implementation of these works, including the mitigations needed to assist with managing the temporary arrangements. These costs are estimated to be:

- Estimate for Statutory Notices, Highways lining and signage, temporary lighting and CCTV rental: £10,000
- Marshalling team of 4 Marshals working 22:00 to 04:00 shifts on Friday/Saturday evenings to assist with directing public and moving vehicles at £20 per hour for 3 months:
 $\text{£20 per hour} \times 4 \text{ officers} \times 6 \text{ hour shifts} \times 2 \text{ days a week} \times 12 \text{ weeks} = \text{£11,520}$
- Additional Licensing resource of 1 x officer working 2 days a week for 12 weeks to monitor, enforce, assist with service requests and with catch up work
 $\text{£40 per hour} \times 15 \text{ hours per week} \times 12 \text{ weeks} = \text{£7,200}$

Total estimated cost = £28,720

10.4 For the 2024/25 financial year there is some funding available from the Police and Crime Commissioner to assist with projects to reduce incidences of crime and antisocial behaviour. However this funding must be spent before the end of the financial year (end March 2025), and it is currently unknown whether there will be similar funding available for the period of works. Every effort will be made to secure funding to cover the costs above however if funding is not secured then it has been agreed that Regeneration Services will cover these costs.

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 and Licensing Committee are invited to recommend the Executive make the decision following consideration of this report.

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 at a time where there are already considerable demands on the service.
- 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 consultation taking place.

15.2 The options available to Committee are either to recommend 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. Additional funding for Licensing to cover the cost of managing the impact of temporary arrangements is also sought from the Regeneration Service.

17. Background Papers

17.1 [Report and Minutes of Licensing Committee, 24 July 2024](#)

18. Appendices

18.1 Appendix 1 – Maps of temporary Taxi Rank arrangements

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

Service	Sign off by and/or date
Finance / S.151 Officer	19/12/2024
Legal	16/12/2024
HR	19/12/2024
Equalities	19/12/2024
Lead Councillor	19/12/2024
CMB	19/12/2024
Committee Services	11/12/2024