

EXECUTIVE DECISION

made by a Cabinet Member




REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – CSCL01 22/23

Decision	
1	Title of decision: Revocation of 3 existing hackney carriage stands (taxi ranks) and the appointment of two new taxi ranks
2	Decision maker (Cabinet member name and portfolio title): Councillor Pat Patel, Cabinet Member for Customer Services, Culture, Leisure & Sport
3	Report author and contact details: Graham Hooper, Senior Officer, Intelligence and Licensing 01752 304533 graham.hooper@plymouth.gov.uk
4	Decisions to be taken: <ol style="list-style-type: none"> 1. Revoke the appointed 4 vehicle time restricted stand at Tavistock Place. 2. Appoint a 2 vehicle time restricted (8pm to 8am) stand at Regent Street. 3. Revoke the appointed 4 vehicle time restricted stand at Cornwall Street known as 'rank 1'. 4. Revoke the appointed 2 vehicle, 24 hour stand at Church Street, Stoke Plymouth. 5. Appoint a 2 vehicle, 9pm to 6am stand outside 58 Devonport Road, Stoke Plymouth.
5	Reasons for decision: To approve the revocation and appointment of hackney carriage stands as prescribed under Section 21 of the Plymouth City Council Act 1975 to facilitate necessary public realm works in the area.
6	Alternative options considered and rejected: <ol style="list-style-type: none"> 1. To reject proposals (as outlined in the attached briefing paper, Appendix 1). To reject the proposals is not the preferred option for the following reasons: <ul style="list-style-type: none"> - The Tavistock Place taxi rank has already been relocated to Regent Street as part of the Box development works. - Church Street is an unused rank, by revoking this rank and releasing the spaces it will provide much need parking spaces for residents. The relocated rank at Devonport Road will provide a dedicated rank to service the Evening and Night Time Economy (ENTE) premises in the area. - There are two ranks at Cornwall Street East. Releasing vehicle spaces at rank 1 back to parking will benefit the general public and businesses' in the locality and will not have an adverse impact on the ability for the public to access a taxi. 2. To alter, vary or change either proposal having regard to the content of 1).

	A number of options have been considered. Extensive consultation took place with representatives of the taxi trade prior to final proposals being submitted for consent. The proposals are considered the most viable in terms of maintaining and increasing trade, public accessibility and public safety.			
7	Financial implications and risks: There have been no costs associated with the advertising and physical amendments to the rank that have been funded by the hackney carriage trade account. The costs of advertising the consultation and relocation works will be met directly through the developer and the public realm works.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
		x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.	
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		The Local Transport Plan (LTP) details the transport strategies and policies that the City Council has adopted and will be the key in helping the City meet its Corporate Plan Priorities.	
10	Please specify any direct environmental implications of the decision (carbon impact)		There are no direct environmental implications of the decision. The new rank location will not increase or impact on carbon emissions.	
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny			

	Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	<input checked="" type="checkbox"/>	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted			
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>	
15	Which Corporate Management Team member has been consulted?	Name	Ruth Harrell	
		Job title	Director of Public Health	
		Date consulted	02 November 2022	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS79 22/23	
		Finance (mandatory)	DJN.22.23.269	
		Legal (mandatory)	39428/ag/10.11.22	
		Human Resources (if applicable)	N/A	
		Corporate property (if applicable)	N/A	
		Procurement (if applicable)	N/A	
Appendices				
17	Ref.	Title of appendix		
	1	Briefing report for publication		
	2	Equalities Impact Assessment		
	3	Tavistock Place and Regent Street		
	4	Cornwall Street		
	5	Church Street and Devonport Road		
	6	Public Notice placed in the Herald – 27 September 2022		
	7	Consultation Responses		

Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	x					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	30 November 2022				
Print Name	Councillor Pat Patel							

APPENDIX I**BRIEFING PAPER****1.0 Introduction or Summary**

1.1 Plymouth City Council currently has 53 appointed Taxi Ranks across the City.

From time to time, due to redevelopment, change of the public's usage or through a taxi rank review, some taxi ranks may need to be amended, revoked or appointed. This report details the proposed amendments to 3 of these appointed taxi ranks which are detailed in section 3 of this report.

2.0 Legal Provisions

2.1 Section 21 of the Plymouth City Council Act 1975 lays down the legal process for the introduction, amendment and revocation of Hackney Carriage Ranks. It states that ranks shall not be situated;

- (a) So as to unreasonably prevent access to any premises
- (b) So as to impede the use of points authorised to be used in connection with a public service vehicle
- (c) On any highway without the consent of the Highway Authority
- (d) Without due regard to the position of bus stops

2.2 The Act requires that the Council shall give notice to the Chief Officer of the Police and to the public of the proposals by advertisement in at least one local newspaper, and shall take into consideration, any objections or representations in respect of such proposals made within 28 days of the first publication of such notice.

3.0 Proposed Amendments

3.1 Proposal One

To revoke the appointed 4 vehicle time restricted taxi rank at Tavistock Place and appoint a 2 vehicle time restricted (8pm to 8am) rank at Regent Street.

The existing appointed rank was located at Tavistock Place and operated from 8pm to 8am 4 vehicle spaces.

For the 'Box' redevelopment, there was a requirement to put in place a vehicle free, pedestrianised walkway to the rear of the premises and therefore it was proposed that the existing taxi rank was relocated to beside the Caffeine Club in Regent Street. The existing and proposed location can be seen in Appendix 3.

Unfortunately, although liaised with early on in the design stage, taxi licensing was not involved in further discussions and the taxi rank was relocated without being put through the formal consultation process hence now included here.

3.2 Proposal Two

To revoke the appointed 4 vehicle time restricted stand at Cornwall Street (West) known as 'rank 1'. The location of this rank is shown in Appendix 4.

There are 2 taxi ranks adjacent to each other in this location (rank 1 and rank 2). Rank 1 operates from 6pm to 6am and has 4 vehicle spaces. Rank 2 operates for 24 hours and also has 4 vehicle spaces. After a review of taxi rank provision in this area and following conversation with the Plymouth Licensed Taxi Association and Darren Stoneman who is the Civil Enforcement Manager responsible for parking provision, it was agreed that rank 1 was no longer in use and that the vehicle spaces should be returned for general parking provision.

3.3 Proposal Three

To revoke the appointed 2 vehicle, 24 hour taxi rank at Church Street, Stoke Plymouth and appoint a 2 vehicle time restricted rank (9pm to 6am) in the loading bay outside 58 Devonport Road, Stoke. A location plan of the proposals is shown in Appendix 5.

Initially approached by Councillor Laing with an enquiry to revoking the rank and to return the spaces for residential parking, a subsequent investigation found that this rank was no longer used but that some rank provision would better serve Stoke villages evening and night time economy premises/clientele with rank spaces in Devonport Road. After discussion with the PLTA and Darren Stoneman it was agreed that 2 time restricted (8pm to 8am) spaces should be created in the loading bay adjacent to 58 Devonport Road.

4.0 Public Consultation

4.1 The proposals were advertised by Public Notice in the Plymouth Herald on Tuesday 27 September 2022 with comments to be received no later than 25 October 2022. A copy of the public notice and can be viewed in Appendix 6.

4.2 In addition, letters/emails of notification were sent to persons and representatives of the following bodies and organisations considered to have an interest in these proposals:

- Cabinet Member for Customer Focus and Community Safety
- Chair Taxi Licensing Committee
- Chief Superintendent, Devon & Cornwall Police
- All local businesses in the vicinity of the existing and proposed ranks
- Local Ward Councillors, St Peter and the Waterfront and Stoke
- Head of Plymouth Highways & Street Services
- Public Transport Officer, Strategic Planning and Infrastructure
- Senior Lawyer, Legal Services
- Plymouth Licensed Taxi Association
- All Hackney Carriage (Taxi) Drivers licensed by Plymouth City Council

5.0 Outcome of Consultation Process

5.1 The Hackney Carriage trade association, the Plymouth Licensed Taxi Association (PLTA), provided no objections to the proposals, which were discussed regularly during quarterly trade liaison meetings. In addition, the PLTA was extensively consulted with at the start of this process and had input with the final design of the new rank provision. A site meeting

was also held at Tavistock Place to discuss alternative locations for the rank but it was agreed that rank provision in this and the wider locality should be considered at a future review.

- 5.2 In total, four response were received, 3 from the Stoke Ward Councillors and one from the Sustainable Transport Coordinator who is the link between the Council and the local bus companies.
- 5.3 There were no comments received from the wider taxi trade despite all drivers being notified of the consultation.
- 5.3 All of the responses received in the consultation process and the replies can be viewed in Appendix 7.

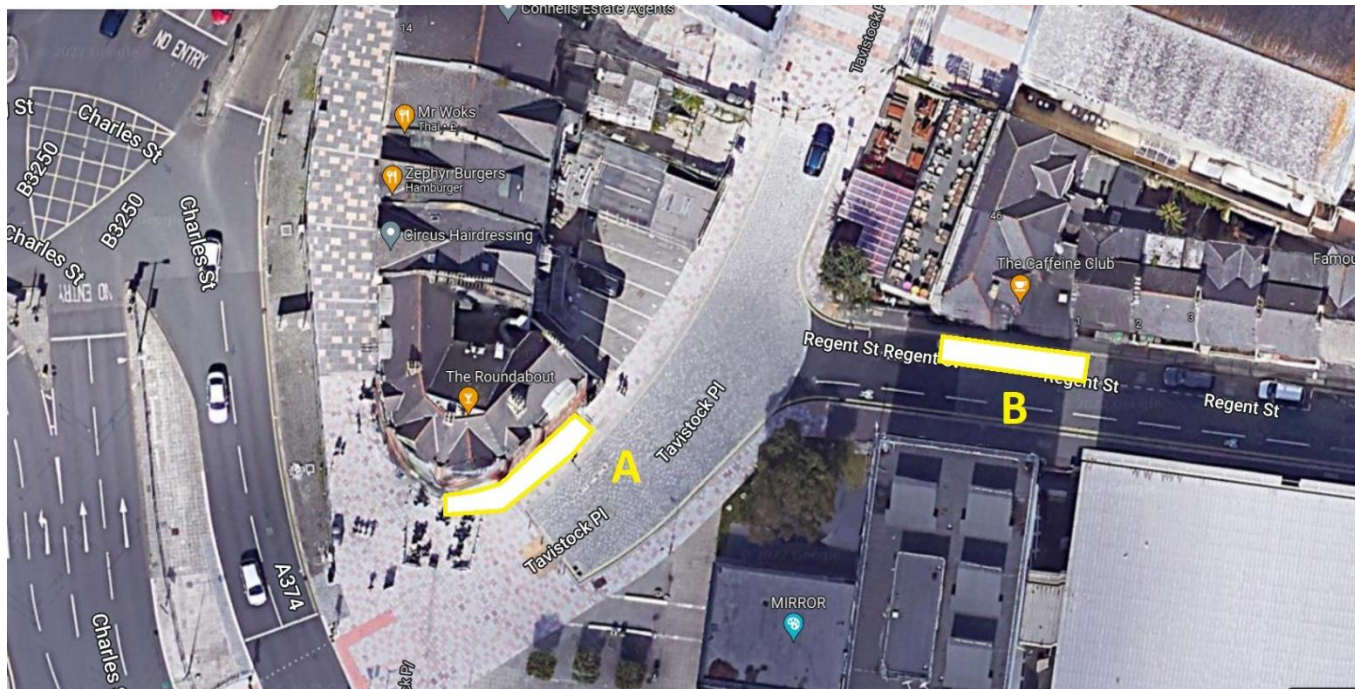
6.0 Summary and Conclusion

- 6.1 The proposed amendments to taxi rank provision at three locations are detailed in section 3 of this report.
- 6.2 While there is loss of some rank provision at Cornwall Street West, due to changes in how the public use taxis at this location, these spaces are no longer needed and are more useful to the public as parking spaces.
- 6.3 With regards to implications on Crime and Disorder, Improving taxi rank provision would serve to assist in reducing crime and disorder and would be welcomed by colleagues in the Police. Currently, there is no taxi rank provision in the vicinity of operational ENTE premises at Stoke Village. Improving access to a taxi service through increasing rank provision in this area would negate safety issues associated with customers continuing their night out by heading into the City Centre or home and reduce the incidents of 'touting', potentially increasing the risk to the public through getting into an unlicensed or uninsured vehicle.
- 6.4 Increasing access to a safe, well regulated form of transport will promote the safeguarding of vulnerable young persons and adults, particularly those impaired through drink after a night out.
- 6.4 No access to domestic or business premises in the area will be obstructed or prevented by the creation of the new taxi ranks and the existing bus stops or other points authorised to be used in connection with public service vehicles, will not be impeded.
- 6.5 The proposed amendment has been widely consulted on as required under the Plymouth City Council Act 1975. Five responses were received and have been duly considered. There were no concerns raised through the consultation.
- 6.6 It is considered that the proposed amendments to taxi rank provision will have an overall positive impact in their specific locations. It is therefore recommended, that the Cabinet Member after full consideration of the information contained in this report and having considered the responses to the consultation authorise that the amendments are introduced as soon as practicably reasonable.

Appendix 3

Tavistock Place and Regent Street

- Revoke the appointed 4 vehicle, time restricted stand (8pm to 8am) at Tavistock Place.
- Appoint a 2 vehicle time restricted stand (8pm to 8am) at Regent Street, the north side from a point 15 metres east of its junction with Tavistock Place for a distance of 13 metres in an easterly direction.



A: Previous Taxi Stand

B: Relocated Taxi Stand

Appendix 4

Cornwall Street

- Revoke the appointed 4 vehicle, 6am to 6pm stand at Cornwall Street known as 'rank 1'.



Removal and revocation of the time restricted stand.

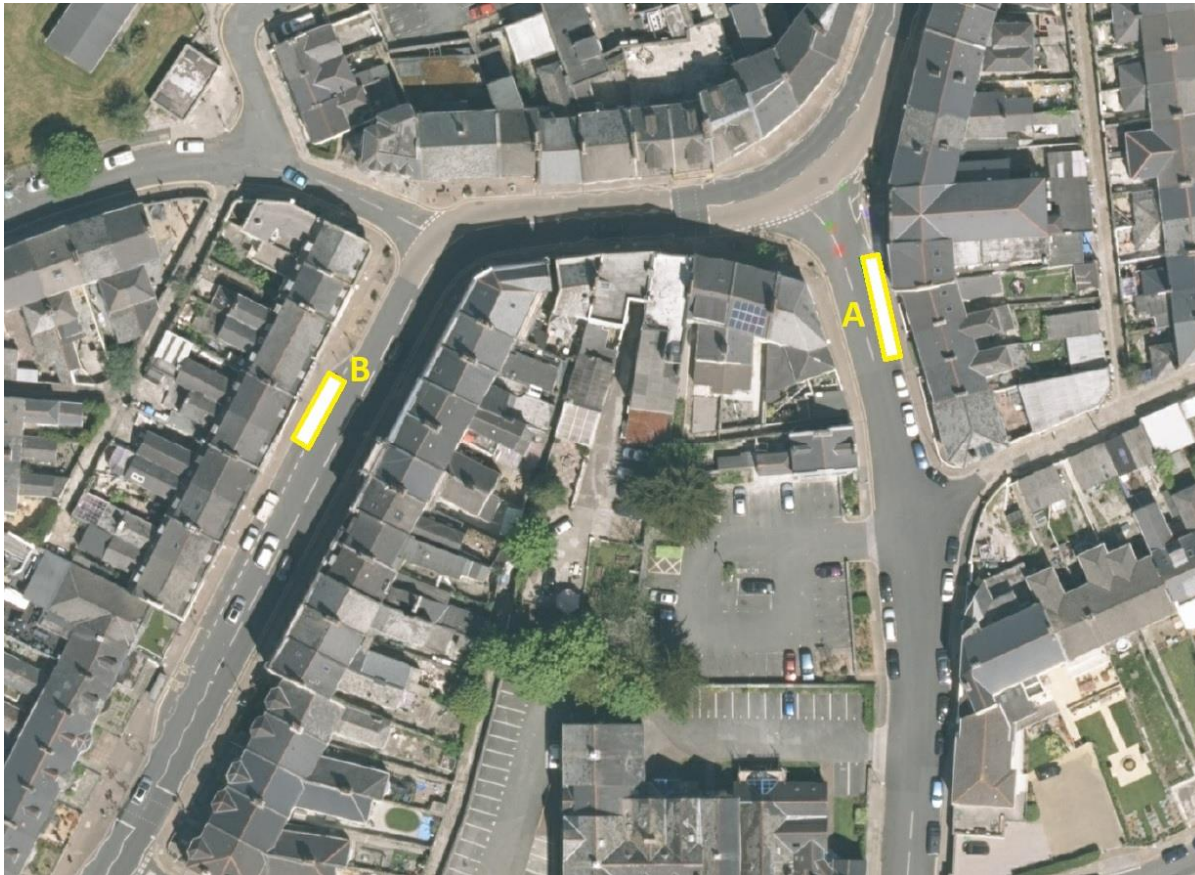
Cornwall Street West (Rank 2) operational for 24 hours for 4 vehicles is retained.

Appendix 5

Church Street and Devonport Road

Revoke the appointed 2 vehicle, 24 hour stand at Church Street, Stoke Plymouth.

- Appoint a 2 vehicle time restricted stand (8pm to 6am) outside 58 Devonport Road, Stoke Plymouth for a distance of 10 metres in a southerly direction from the northern end of the existing loading bay in the same location.



A: Existing Taxi Stand located at Church Street

B: Proposed Taxi Stand adjacent to 58 Devonport Road

APPENDIX 6**Public Notice placed in the Herald Tuesday 27 September 2022****HACKNEY
CARRIAGES STANDS****Plymouth City Council Act 1975**

NOTICE is hereby given that Plymouth City Council in exercise of its powers under Section 21 of the Plymouth City Council Act 1975 proposes to:

- Revoke the appointed 4 vehicle time restricted stand at Tavistock Place.
- Appoint a 2 vehicle time restricted stand at Regent Street.
- Revoke the appointed 4 vehicle time restricted stand at Cornwall Street known as 'rank 1'.
- Revoke the appointed 2 vehicle, 24 hour stand at Church Street, Stoke Plymouth.
- Appoint a 2 vehicle, 9pm to 6am stand outside 58 Devonport Road, Stoke Plymouth.

For the use of hackney carriages as detailed in the schedule below.

Any written objections or representations should be sent in writing or by email to the undersigned by no later than 28 days following the publication of this notice.

SCHEDULE**PROPOSALS FOR RECOGNITION OF EXISTING AND CREATION OF NEW
HACKNEY CARRIAGE STANDS**

- Revoke the appointed 4 vehicle, time restricted stand (8pm to 8am) at Tavistock Place.
- Appoint a 2 vehicle time restricted stand (8pm to 8am) at Regent Street, the north side from a point 15 metres east of its junction with Tavistock Place for a distance of 13 metres in an easterly direction
- Revoke the appointed 4 vehicle, 6am to 6pm stand at Cornwall Street known as 'rank 1'.
- Revoke the appointed 2 vehicle, 24 hour stand at Church Street, Stoke Plymouth.
- Appoint a 2 vehicle time restricted stand (8pm to 6am) outside 58 Devonport Road, Stoke Plymouth for a distance of 10 metres in a southerly direction from the northern end of the existing loading bay in the same location.

Maps and associated information may be viewed until 25 October 2022 on our website at: <https://new.plymouth.gov.uk/taxi-ranks-and-fares> or a copy will be provided on request from Licensing Department, Windsor House, Tavistock Road, Plymouth, PL6 5UF on any weekday, during the usual office hours.

**Mr Graham Hooper – Senior Officer, Licensing, Public Protection Service,
Plymouth City Council, Windsor House, Tavistock Road, Plymouth, PL6 5UF
Email taxi.licensing@plymouth.gov.uk**

www.plymouth.gov.uk

APPENDIX 7 Consultation Responses

Name	Date	Comment	Response
<p>Debbie Newcombe Sustainable Transport Coordinator Strategic Planning and Infrastructure Plymouth City Council Ballard House West Hoe Road Plymouth PL1 3BJ</p> <p>T +441752307868 F +441752304922 E debbie.newcombe@plymouth.gov.uk www.plymouth.gov.uk</p>	26/10/2022	<p>OFFICIAL</p> <p>Hi Graham</p> <p>Thank you for your email.</p> <p>Given that these changes do not impact on any bus stops, I can confirm that we do not have any comments or objections to raise.</p> <p>Many thanks</p> <p>Debbie</p>	No response required
<p>Cllr Sally Cresswell Labour Councillor Stoke Ward Plymouth City Council Council House Plymouth PL1 2AA</p>	27/10/2022	<p>Dear Graham</p> <p>As I said previously thanks for this. I think this would be quite a positive move particularly for the residents living in Church Street as my understanding is that it would free up two parking spaces. This has been a concern when we have been speaking to residents.</p> <p>With kind regards</p> <p>Sally</p>	No response required
<p>Councillor Jemima Laing Labour Councillor for Stoke Ward</p>		<p>Hello – I fully support the removal at Church Street as this is something residents have asked for for a number of years. Is the proposed rank in the existing limited parking zone, I</p>	<p>Good afternoon Cllr Laing Please accept my apologies for</p>

<p>Plymouth Labour deputy leader</p>		<p>wasn't sure.</p>	<p>not responding to your email earlier. The proposed rank will be located in a loading bay adjacent to 58 Devonport Road. The operational hours of 8pm to 8am means it will not impact on the nearby businesses or bus routes during the day but will be well placed to serve the evening and night time economy premises in the vicinity at night.</p> <p>Kind Regards Graham</p>
<p>Councillor Tom Briars-Delve Stoke</p>	<p>28/10/2022</p>	<p>Dear Graham, Thank you for consulting. I support this change to free up parking spaces on Church Street but also because taxis often park quite dangerously on Devonport Road, particularly by the steep bend. Many thanks, Tom</p>	<p>No response required</p>