

# EXECUTIVE DECISION

made by a **Cabinet Member**



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

Executive Decision Reference Number – CSLCC01 24/25

Decision				
1	<b>Title of decision:</b> The revocation and removal of the Guildhall Square appointed hackney carriage stand (taxi rank).			
2	<b>Decision maker:</b> Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Events, Cemeteries & Crematoria)			
3	<b>Report author and contact details:</b> Graham Hooper (Senior Officer Environmental Health and Licensing Public Protection Service) <a href="mailto:graham.hooper@plymouth.gov.uk">graham.hooper@plymouth.gov.uk</a>			
4	<b>Decision to be taken:</b> To revoke the appointed 3 vehicle, 24 hour hackney carriage stand located at Guildhall Square.			
5	<b>Reasons for decision:</b> To approve the revocation and removal the Guildhall Square hackney carriage stand as prescribed under Section 21 of the Plymouth City Council Act 1975, to facilitate public realm works in the area.			
6	<p><b>Alternative options considered and rejected:</b></p> <p>I. To not proceed with the proposals (as outlined in the attached briefing paper, Appendix I).</p> <p>To approve the proposals is the preferred option for the following reasons:</p> <ul style="list-style-type: none"> <li>- The Guildhall Square rank is no longer used by the taxi trade or the public, with the daytime and Evening and Nighttime Economy needs adequately serviced by ranks located at St Andrews Cross and Raleigh Street. The removal of this rank will have no negative impact on taxi rank provision in the vicinity.</li> <li>- The public realm works have been agreed and funding secured, the retention of this unused rank would impact on the design and construction of these works.</li> </ul>			
7	<p><b>Financial implications and risk:</b></p> <p>There have been no costs associated with the advertising and revocation of the taxi rank to Taxi Licensing and the trade accounts. The costs of advertising the consultation and revocation works will be met directly through the developer and the public realm works funding.</p>			
8	<p><b>Is the decision a Key Decision?</b> (Please contact <a href="#">Democratic Support</a> for further advice)</p>	Yes	No	<b>Per the Constitution, a key decision is one which:</b>
			X	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
			X	in the case of <b>revenue</b> projects when the decision involves entering into new

				commitments and/or making new savings in excess of <b>£1 million</b> annually.
			<b>X</b>	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
	<b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b>	N/A		
<b>9</b>	<b>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:</b>	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.		
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	There are no direct environmental implications of the decision. The new rank location will not increase or impact on carbon emissions.		
<b>Urgent decisions</b>				
<b>11</b>	<b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b>	<b>Yes</b>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	<b>X</b>	<b>(If no, go to section 13a)</b>
<b>12a</b>	<b>Reason for urgency: N/A</b>			
<b>12b</b>	<b>Scrutiny Chair Signature:</b>	N/A	<b>Date</b>	
	<b>Scrutiny Committee name:</b>	N/A		
	<b>Print Name:</b>	N/A		
<b>Consultation</b>				
<b>13a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b>	<b>X</b>	
		<b>No</b>		<b>(If no go to section 14)</b>
<b>13b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Mark Coker (Cabinet Member for Strategic Planning and Transport)		
<b>13c</b>	<b>Date Cabinet member consulted</b>	1 May 2024 under PCCA consultation and directly through TRO process		

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	X					
15	Which Corporate Management Team member has been consulted?	Name		Ruth Harrell				
		Job title		Director Of Public Health				
		Date consulted		1 May 2024				
<b>Sign-off</b>								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)		DS01 24/25				
		Finance (mandatory)		HS.24.25.05				
		Legal (mandatory)		IW – 3362 – 08.05.24				
		Human Resources (if applicable)		N/A				
		Corporate property (if applicable)		N/A				
		Procurement (if applicable)		N/A				
17	Ref	Title of appendix						
	A	Briefing report for publication 1. Guildhall Square Hackney Carriage Stand Plan 2. Public Advert (Evening Herald) 3. Consultation Responses						
	B	Equalities Impact Assessment						
<b>Confidential/exempt information</b>								
18 a	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					
		<b>Exemption Paragraph Number</b>						
		1	2	3	4	5	6	7
18 b	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 unpublished 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 1 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.

<b>Signature</b>		<b>Date of decision</b>	21 May 2024
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<b>Print Name</b>	Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Events, Cemeteries & Crematoria)
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## **APPENDIX I**

## **BRIEFING PAPER**

### **1.0 Introduction and 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 revocation of the Guildhall Square appointed taxi rank as detailed in section 3 of this report.

#### **1.2 Thanks to Historic England's High Street Heritage Action Zone funding, and Transforming Cities Fund, Civic Square is undergoing restoration work. Civic Square was a key part of the civic layout of Plymouth planned by the city architect H J W Stirling and based on Abercrombie and Paton Watson's post-war plan for Plymouth of 1943.**

Simultaneously work is underway to restore the exterior of the historic Guildhall.

The next phase of the Civic Square improvements is to open up views of Civic Square and the Guildhall and reduce the visual impact of vehicles in this historic space.

The Guildhall Square taxi rank was identified as seldom used with the Raleigh Street, Theatre Royal and St Andrews Cross ranks supplying the public taxi rank need in the vicinity. This rank has been earmarked for removal through the last 2 City wide rank reviews.

### **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 Revocation**

#### **3.1 Due to the public realm works detailed in 1.2 and infrequent use by the trade, the decision was taken to undertake public consultation to revoke and remove the appointed 24 hour stand for 3 vehicles at Guildhall Square.**

#### **3.2 It is not intended to replace the taxi rank as no suitable locations in the vicinity have been identified. The nearest alternative tax ranks have been identified in section 1.2.**

#### **3.3 A Traffic Regulation Order (TRO) application was made at the same time to:**

- Remove seven car parking spaces from Armada Way in front of the Guildhall and provide six new car parking spaces in Princess Street. Previously seven new spaces have been provided in the Guildhall car park.

- Relocate two motorcycle parking areas in front of the Guildhall to Princess Street by the entrance to the Civic Centre car park.

#### **4.0 Public Consultation**

4.1 The proposals were advertised by Public Notice in the Plymouth Herald on 01 March 2024, with comments to be received no later than 30 March 2024. A copy of the public notice and can be viewed in Appendix 2.

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 Community Safety, Libraries, Events, Cemeteries and Crematoria
- 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), were in the process of dissolution and no formal comment was received from them. However, in previous trade meetings and rank reviews, the rank and its removal had been discussed with no objections.

5.2 In total, 3 responses were received to the consultation.

5.3 All of the responses received in the consultation process and the replies can be viewed in Appendix 3.

5.4 None of the response required a further response or clarification.

#### **6.0 Summary and Conclusion**

6.1 The proposed revocation of the Guildhall Square appointed taxi rank for 3 vehicles is detailed in section 3 of this report.

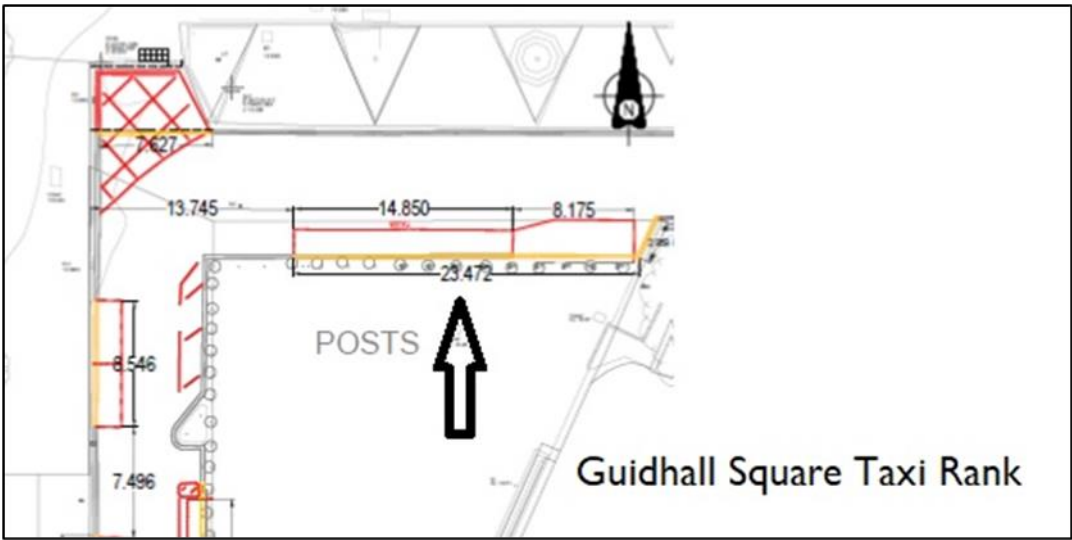
6.2 While there is loss of rank provision at this location, due to changes in how the public use taxis at the vicinity, these spaces are no longer needed and there will be no negative impact through their removal.

6.3 The proposed amendment has been widely consulted on as required under the Plymouth City Council Act 1975. Three responses were received and have been duly considered.

There were no concerns raised through the consultation. 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 revocation of the Guildhall Square taxi rank is introduced as soon as practicably reasonable.

# Appendix I

## Guildhall Square Hackney Carriage Stand





## APPENDIX 2

Public Notice placed in the Plymouth Herald Friday 1 March 2024

### **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 3 vehicle Stand at the Guildhall Square Car Park.

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**

#### **PROPOSAL FOR REVOCATION OF EXISTING HACKNEY CARRIAGE STAND**

Revoke and remove the appointed 24 hour stand for 3 vehicles at Guildhall Square.

Maps and associated information may be viewed until 30 March 2024 on our website at:

[Taxi ranks and fares | PLYMOUTH.GOV.UK](https://www.plymouth.gov.uk/taxi-ranks-and-fares) or a copy will be provided on request from:

Email: [taxi.licensing@plymouth.gov.uk](mailto:taxi.licensing@plymouth.gov.uk)

or in writing to: Taxi Licensing, Ballard House, Plymouth, PL1 3BJ on any weekday, during the usual office hours.

[www.plymouth.gov.uk](http://www.plymouth.gov.uk)

## APPENDIX 3 Consultation Responses

Name	Date	Comment	Response
<p>From: [REDACTED]</p> <p>Sent: Friday, March 1, 2024 2:42 PM</p> <p>To: Taxi Licensing &lt;Taxi.Licensing@plymouth.gov.uk&gt;</p> <p>Subject: RE: Public Consultation for the Proposed Revocation of the Guildhall Square Hackney Carriage Stand</p>	1 March 2024	<p>Hello,</p> <p>I won't be taking part in any consultations anymore due to it just being ignored anyway as proved by the removal of the knowledge test when a massive percentage of people were against it. They have proved that consultations are just a complete waist of time and money as they will just do what they want to do anyway.</p> <p>Kind regards</p> <p>[REDACTED]</p>	<p>No response</p> <p>Not rank related</p>
<p>From: [REDACTED]</p> <p>Sent: Friday, March 1, 2024 11:59 AM</p> <p>To: Taxi Licensing &lt;Taxi.Licensing@plymouth.gov.uk&gt;</p>	1 March 2024	<p>Thanks for this information, however I hope the taxi rank will be relocated elsewhere to provide better access to taxis, especially in areas where people tend to go. We are making customers walk to far for taxi ranks favouriting private hire.</p> <p>Best Regards</p> <p>[REDACTED]</p>	<p>This respondent formed part of the PLTA and was involved in initial conversations.</p> <p>There is adequate rank provision located at St Andrews Cross and Raleigh Street. The Guildhall Rank was not used.</p>
<p>From: [REDACTED]</p> <p>Sent: Friday, March 1, 2024 11:14 AM</p> <p>To: Taxi Licensing &lt;Taxi.Licensing@plymouth.gov.uk&gt;</p> <p>Subject: Re: Public Consultation for the Proposed Revocation of the Guildhall Square Hackney Carriage Stand</p>		Thanks for this	N/A