Committee: Licensing Committee
Date of meeting: 10 November 2014

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Responses to Taxi Rank Consultation</th>
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<tr>
<td>Lead Officer:</td>
<td>Principal Licensing Officer</td>
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<td>Portfolio Holder:</td>
<td>Environment</td>
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<td>Link to Council Priorities:</td>
<td>A Safe, Caring &amp; Healthy Elmbridge</td>
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<td>Exempt information:</td>
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<td>Delegated status:</td>
<td>For Resolution</td>
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EXECUTIVE SUMMARY:

Further to previous reports, the Licensing Committee is asked to consider the responses to the public advertisement and consultation exercise undertaken across August and September 2014 regarding the Council's proposals for the adoption of new taxi ranks in the Borough.

RECOMMENDATION: THAT THE COMMITTEE:

(A) APPROVE THE PROPOSAL TO ADOPT TAXI RANKS IN THE FOLLOWING LOCATIONS:

   I. HIGH STREET, Esher, AND
   II. MAYFIELD ROAD, WALTON

(B) AGREE THAT PRIOR TO IMPLEMENTATION OF THE NEW RANKS, THE ARRANGEMENTS FOR ENGAGEMENT WITH THE TRADE AND THE MANAGEMENT OF THE RANKS BE AGREED WITH THE CHAIRMAN AND VICE CHAIRMAN OF THE COMMITTEE; AND

(C) NOTE THE POSITION WITH REGARD TO THE WEYBRIDGE SITE PROPOSALS (QUEENS ROAD AND HIGH STREET) AND AGREE TO THESE PROPOSALS BEING BROUGHT BACK TO THE COMMITTEE ONCE PROGRESS WITH THE ABOVE SITES HAS BEEN MADE AND THEIR SUBSEQUENT OPERATION REVIEWED.

Background

1. The Committee will recall a report in March 2014 regarding progress with the work to introduce new taxi ranks in the Borough and the intention to carry out a public consultation on proposed sites.

2. As part of the consultation process the Council is required to obtain the consent of the Highways Authority and notify the Police of the proposals. The proposals are then advertised in a local newspaper giving Notice of a 28 day period for objections or representations.
3. Members will be aware from the previous report that the proposals included five sites as below. Photographs of the general area for each site are shown at Appendix A:

<table>
<thead>
<tr>
<th>Location</th>
<th>Spaces</th>
<th>Operational Hours</th>
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<tbody>
<tr>
<td>Esher - High St (outside 77-81 away from the corner)</td>
<td>3</td>
<td>18.00 – 03:00</td>
</tr>
<tr>
<td>East Molesey – Creek Road (3 spaces from the left of Bridge House)</td>
<td>3</td>
<td>18:00 – 02.00</td>
</tr>
<tr>
<td>Weybridge – Queens Road North (side outside 115-127)</td>
<td>5</td>
<td>22:00 to 03:00.</td>
</tr>
<tr>
<td>Walton-on-Thames - Mayfield Road (opposite train Station)</td>
<td>3</td>
<td>24 hours</td>
</tr>
<tr>
<td>Weybridge - High St (outside Oxfam back to Boots Opticians)</td>
<td>3</td>
<td>18:00 – 03:00</td>
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4. Approval for the sites was sought from Surrey County Council through the Elmbridge Local Committee which gave its consent to four of the sites at its meeting of 16 June 2014. However, the Local Committee did not approve the site at Creek Road in East Molesey. This area is mainly used for residential parking and the Committee had concerns that residents would be inconvenienced since the proposed rank would necessitate the relocation of resident’s cars during the hours of operation. Officers will investigate this further with colleagues at Surrey County Council.

5. Notice was then given to the Police on 13 August 2014 regarding the four remaining sites in Esher, Weybridge and Walton and they proceeded to consider proposals for taxi ranks under road safety and traffic management. The response was that the police have no formal objections to the proposals.

6. However, despite the above, the Police Officer commenting did raise the issue that the introduction of taxi ranks generally may cause residents who had previously parked in the area of the ranks to park elsewhere illegally. He had some concern that this may create a demand on police resources at times of night when there is no Council parking enforcement.

7. Regarding Notice to the public, the following actions were undertaken:

- An advertisement was published in the Surrey Herald Newspaper on 21 August 2014 giving details of the proposed taxi ranks and methods by which members of the public could comment.
- A web page with online comment facility was created giving background information and listing potential benefits to the creation of the taxi ranks.
- The taxi trade (155 drivers), and private hire operators were informed of the proposal directly through written correspondence.
• Public notices were displayed at the proposed sites for the duration of the consultation and officers attended these sites to hand out flyers and to answer questions.
• Other promotion activities included: the display of leaflets on the borough notice boards, the use of social media and a press release.

Summary of Responses:

8. A total of 65 respondents commented on the four taxi rank proposals during the consultation. The comments came largely from either the taxi trade or residents. One response was received from a local business and most respondents had views on all four of the locations.

9. Key responses regarding the consultation are attached at Appendix B. Detailed responses on all the sites have been made available to the Committee separately in the Members’ Room.

Esher High Street:

10. There were 50 comments received on the Esher site, 48 (95%) of which were in support. Regarding objections, one comment was received about the reduction of visitor parking spaces caused by a rank, the suggestion being that the rank would be better placed in an empty area of the public car park adjacent to the Council offices. There was no response to the consultation from either residents of or businesses in Esher.

11. Weybridge Taxi Association which comprises 55 members commented that a better location in Esher would be even nearer to licensed premises. Views expressed outside of the consultation process were that the proposed new rank would require formal supervision for it to become established.

12. Due to the majority support for the existing Esher proposal, Officers recommend the Committee agree the adoption of the new rank on the basis that its’ implementation is subject to further engagement with the trade and appropriate supervision during operational hours.

Walton Mayfield Road Servicing rear of Walton Rail Station:

13. There were 53 responses regarding the Mayfield Road site, 44 in support and 9 against. Support came mainly from a section of the taxi trade and from local residents who can experience problems associated with overcrowding from taxis at the existing 12 space taxi rank on Station Avenue. Congestion occurs primarily during peak commuter times.

14. A couple of the responses have raised concern that commuters would be required to cross the road to access a rank on the north side of Mayfield Road. Three members of the taxi trade who service the existing taxi rank at Station Avenue, Walton were opposed to an additional rank behind the station. This was on the grounds that a rank in Mayfield Road would take business from the drivers who belong to Walton Taxi Association and that it
may also cause private hire drivers to attempt to ply for hire illegally in the vicinity.

15. Whilst the rank at Station Avenue is open to all 155 Elmbridge licensed taxi drivers, Walton Taxi Association is a group of approximately 20 licensees who rent a premises adjacent to the Station Avenue rank with a phone line installed to take private bookings. It is estimated that 50 or so other licensed drivers who have not been nominated for membership to the Association also use the rank at Station Avenue, other drivers preferring to ply for hire off rank or to obtain a permit to use the rank at Weybridge Station.

16. Whilst not a specific objection to the adoption of new ranks, some representations were made by members of the trade on the grounds that the number of driver licenses should be capped rather than additional provision being made for ranks. Anecdotal evidence suggests this view may be held by a significant number of the licensed trade.

17. Regarding the issue of numbers of driver licences, the Committee’s attention is drawn to Section 16 of the Transport Act 1985, which provides that taxi driver licences may only be refused if the Council is satisfied that there is no unmet demand for taxi services in its area. In this regard the licensee income is not a consideration. Moreover, Department for Transport Guidance recommends against limiting the number of licences. The Law Commission’s report on proposed law reform in taxi and private hire services, published in May 2014 recognises taxis as an essential aspect of the transport system in England and Wales. It is clear that there is a requirement for adequate provision for ranks in areas of the borough where residents and visitors can benefit.

18. The majority of respondents who commented on the Mayfield Road proposal were in support. Officers recommend the Committee agree the adoption of the new rank on the basis that its’ implementation is subject to review. Whilst proposals for new ranks may not meet with favour from all stakeholders, there is a need for adequate provision for ranks in areas of the borough where commuters can benefit.

Weybridge Proposals

19. Having reviewed the comments received regarding Queens Road and High Street Weybridge, Officers considered the most expedient approach may be to consider the adoption of ranks on a staged basis in order to gauge usage and impact. In consultation with the Chairman and Vice Chairman, it was therefore agreed to take forward the proposals for both Esher High Street and Mayfield Road at this time and to consider the remaining two ranks in Weybridge at a later date to be decided.

Balancing Considerations

20. The Authority is under a duty to issue a taxi driver licence to any person who applies, provided that person is deemed fit and proper. Further, it is clear that
the Government does not expect quantity restrictions on the numbers issued unless there is an advantage to the travelling public. There is a clear need for taxi ranks to make provision for licensed vehicles.

Implementation Arrangements

21. In order for a taxi rank to be successful, there are a number of necessary considerations when determining a location. These include line of sight of potential commuters and proximity to licensed premises or shops. However, due to legal obligations, the overriding consideration for the authority must remain public safety.

22. Further, the effective management at new taxi ranks is essential to them becoming successfully established. The benefits of supervision include
   - ensuring drivers use the rank appropriately
   - guiding the public to wait in future at a designated location where they may access taxis safely and reliably
   - monitoring private hire drivers to prevent illegal plying for hire in the vicinity to allow the rank to become established
   - assisting with dispersal of customers from licensed premises and reducing the potential for instances of anti-social behaviour during the evenings.

23. In the event that new sites are approved, officers recommend the development of an implementation plan for engagement with the trade and appropriate supervision to be agreed with the Committee Chairman and Vice Chairman.

Conclusions

24. Overcrowding at peak times at existing taxi ranks is a nuisance and causes congestion. This indicates a need for additional ranks to assist with distribution of drivers plying for hire.

   It is evident from the guidance that safe, adequate local taxi services are considered an important and legitimate part of the transport system.

25. Whilst some members of the taxi trade are of the view that their income is dwindling due to licenses continuing to be issued, officers are not aware of any licences surrendered on the basis that drivers are unable to earn a living. Currently, new Hackney Carriage licences are issued at a rate of approximately 8 per year.

26. The vast proportion of the responses received on the Esher and Mayfield Road proposals were in support of the adoption of the ranks, at Esher in particular.

27. The success or otherwise of new taxi ranks can be evaluated at any time and appropriate action taken if not successful.
Financial implications:
Cost of lining and signing taxi ranks and associated costs arising from managing implementation.

Environmental/Sustainability Implications:
None

Legal implications:
Requirement to advertise proposed adoption of taxi ranks

Equality Implications:
A rank in the vicinity of the rear of Walton Station will enhance transport facilities for commuters, in particular those who may have reduced mobility.

Risk Implications:
None

Community Safety Implications:
Additional ranks could assist with the safe dispersal of individuals from town centres in the evenings and can reduce instances of anti-social behaviour.

Principal Consultees:
Chief of Police
Surrey County Council Highways Authority
Taxi Trade

Background papers:
None

Enclosures/Appendices:
Appendix A – Photographs of Sites
Appendix B – Key Public Consultation Responses

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