

**PETITION REGARDING TAXI RANK PROVISION IN EPSOM**

Report of the: Head of Housing & Environmental Services,  
Head of Legal and Democratic Services

Contact: Simon Young / Mark Berry / Rod Brown /  
Rachel Jackson

Urgent Decision?(yes/no) No

Annexes/Appendices (attached): Annexe 1 –Petition Covering Letter

**REPORT SUMMARY**

**This report considers two petitions received regarding taxi rank provision in Epsom Town Centre, in the context of proposals to relocate a taxi rank as part of the Plan E Town Centre Highway and Public Realm Improvement Scheme.**

**RECOMMENDATION (S)**

*Notes*

- (1) That the Committee notes the petitions.**
- (2) That the representations contained in the petitions be taken into account before any decision is made about whether to re-locate the taxi rank.**

**1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy**

- 1.1 There are no implications for the Council's Key Priorities etc arising from this report.

**2 Background**

- 2.1 Part of the Surrey County Council's Plan E Highway Improvement Scheme involves improving the market place, and making changes to the roads and junctions. This necessitates moving the taxi rank from its current location near the Clocktower to another location on the High Street.
- 2.2 The formal processes around the creation or removal of taxi ranks involve Epsom & Ewell Borough Council working with the County Council and others; more information is set out in the "legal implications" section below.

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- 2.3 At the time of writing, whilst it seems clear that the highway and market improvement scheme will require the removal of the taxi rank, it is not absolutely certain where the replacement will be located. It seems highly likely this will be in the location shown on the County Council's Phasing Plan for the scheme. This is near the TK Maxx shop in place of the current bus stand (which is moving to Ashley Avenue).
- 2.4 No decision has yet been made by Epsom & Ewell Borough Council regarding the taxi rank. In anticipation of the expected decision, however, Epsom Licensed Taxi Drivers' Association have submitted two petitions, which are set out in Annexe 1. Effectively, this is a single petition in two parts – the first signed by members of the public and the second signed by licensed taxi drivers. Taken at face value it appears 483 members of the public have signed the petition, together with 39 taxi drivers.
- 2.5 The representations contained in the petitions will be taken into account when a decision on the rank location is made, but it was considered appropriate to report these to Members for information at this stage. The petition organisers will, of course, have the opportunity to repeat or expand on their representations when the formal statutory process is undertaken.
- 2.6 Assuming for a moment that approval is given to moving the taxi rank, it is not yet clear precisely when this would happen in practice but it would be part of the Plan E improvements scheduled to be completed in 2017/18.
- 2.7 The petition itself simply states "We the undersigned wish to oppose the removal of the rank outside Nat-West Bank". The covering letter submitted with the petition raises a number of issues. These can be summarised as follows:
- a. *Moving the rank from its current location to the likely location on the other side of the High Street and further west, would be detrimental to the present high quality service that is now supplied to the shopping centre.*
  - b. *Priority is being given to a private hire operator, which already has another office near the site.*
  - c. *The private hire operator is not operating lawfully in this location.*
  - d. *A reason given for the change to the location of the rank was the expansion of the market, and it is questioned how this can be done if the private hire operator remains in its current location.*
  - e. *The decision to move the rank should be reconsidered.*
  - f. *Other locations should be considered for the new rank, closer to the current location, so that the present level of service can be retained.*

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- 2.8 Items b., c., and d. largely engage issues which are not directly relevant to the question of the removal of the taxi rank, and the comments in paragraphs 2.9 and 2.10 are for information only.
- 2.9 Private hire vehicles are not permitted to use appointed hackney carriage stands. Any contravention can in theory be subject to enforcement action, but in practice it is not always possible to take action.
- 2.10 A private hire operator does indeed hold a lease from the Council of part of the Clocktower. A decision on the future of the lease is a matter for the Council as landlord; it is not a licensing matter. It is not considered that the continuation of the lease, would in any way impact on the Council's aspirations for the market place – there are no proposals to change the building (which is listed).
- 2.11 Careful consideration has been given to the possibility of retaining the taxi rank at its current location or moving it to another location from that currently proposed. It is considered that it is necessary for the rank to be moved for several reasons, including the better use of this space in conjunction with the remainder of the market place, and for purposes connected with improving the flow of traffic through the town centre. It is not considered that there are any suitable alternative locations other than that proposed, so it is unlikely that the proposals will change. However, this will be kept under review before a final decision is made.
- 2.12 The Council has a Petitions Scheme. This effectively provides for three categories of petition:
- a. *A petition calling for a matter to be debated at full Council. This requires at least 1500 signatories.*
  - b. *A petition calling for an officer to give evidence to the Audit Crime & Disorder and Scrutiny Committee to answer questions on a specific issue. This requires at least 800 signatories.*
  - c. *An ordinary petition (not within either of the above categories). This requires at least 20 signatories.*
- 2.13 The Petition Scheme requires that signatories provide their name, address and signature (signature is not required for e-petitions).
- 2.14 In this case individuals have provided in most cases a signature and post-code. Whilst the full requirements have not been met, it is clear that over 500 people have signed a petition on this issue, most of whom appear to live in the Borough, and it is therefore considered appropriate for the Committee to consider this.

### **3 Proposals**

- 3.1 It is proposed that the petitions be noted, and that they be taken into account before a final decision is made on relocation of the taxi rank.

### **4 Financial and Manpower Implications**

- 4.1 **Chief Finance Officer's comments:** *There are no financial or manpower implications arising from this report.*

### **5 Legal Implications (including implications for matters relating to equality)**

- 5.1 The Council has the power under the Local Government (Miscellaneous Provisions) Act 1976 to appoint (and/or revoke) stands for hackney carriage (taxi ranks). The Council cannot, for example, create a taxi rank which will unreasonably prevent access to any premises. In deciding the location of a taxi rank the Council must have regard to the position of any bus stops which are in use.
- 5.2 If a taxi rank is to be located on the highway, the consent of the highway authority (Surrey County Council) is required.
- 5.3 Prior to creating or revoking a taxi rank, the Council must give notice to the Police and must also publish notice in a newspaper circulating in the Borough. Any objections or representations received in writing within 28 days from the publication of the notice must be taken into consideration prior to a final decision being made.
- 5.4 **Monitoring Officer's comments:** *There are no implications arising from this report – but it will be important that the relevant committee or officer follows the statutory process, including consideration of representations, before a final decision is made.*

### **6 Sustainability Policy and Community Safety Implications**

- 6.1 There are no sustainability or community safety implications arising from this report.

### **7 Partnerships**

- 7.1 The Plan E scheme is a Surrey County Council scheme, which benefits from substantial funding from the Local Enterprise Partnership and Epsom & Ewell Borough Council.
- 7.2 It is important that decisions taken on matters which are relevant to the overall scheme are taken with due regard to the implications of those decisions on the scheme, and the need to ensure that this is not compromised, as well as to all the other relevant considerations.

### **8 Risk Assessment**

- 8.1 There are no significant risks arising from this report.

## **9 Conclusion and Recommendations**

- 9.1 In conclusion it is considered that the Committee should note the contents of the petitions received, and give such guidance to officers as they think fit.

**WARD(S) AFFECTED: Town Ward;**