

**REPORT:** Regulatory Committee

**DATE:** 2<sup>nd</sup> September 2020

**REPORTING OFFICER:** Strategic Director Enterprise, Community and Resources

**PORTFOLIO:** Resources

**SUBJECT:** Taxi Licensing Matter

**WARDS:** Borough-wide

## **1. PURPOSE OF REPORT**

To seek approval for 2 new hackney carriage stands (referred to in this report by their more common name of taxi ranks) as part of the Council's regeneration of the Runcorn Station Quarter.

## **2. RECOMMENDED:**

- (1) that the information set out in this report and attached appendices be noted by the Committee;**
- (2) the proposals set out in Appendix A and Appendix B be referred to the Executive Board with a recommendation for approval subject to the Executive Board considering any representations which may be made in respect thereof;**
- (3) the Executive Board authorise the Operational Director, Legal and Democratic Services to fulfil all procedural requirements and relating to the proposals in contained within this report in accordance with Section 63 Local Government (Miscellaneous Provisions) Act 1976.**

## **3. SUPPORTING INFORMATION**

- 3.1 On 15<sup>th</sup> November 2019, the Council's Executive Board formally endorsed the preferred road scheme for the proposed Runcorn Station Quarter development.
- 3.2 Part of the Runcorn Station Quarter development scheme is to enhance not just the visual appeal of the immediate area to Runcorn Station but to make the best use of all available transport links.

- 3.3 Previous provisions for a hackney carriages at this station were on private land. They were limited to a specific number of vehicles and were subject to an addition fee from the rail franchise company for the privilege of working from there. Due to the landscaping designs this space will no longer be available.
- 3.4 The 2 proposed ranks can be found at Appendix A and B. If approved, these ranks will be on public highway, therefore all hackney carriage vehicles licensed by Halton Borough Council may ply for hire from this new location should they wish with no additional levy applied to do so (subject to a maximum number of vehicles at any one time).
- 3.5 A greater view of the proposed area can be found at Appendix C. Due to the detail of this map, larger copies of this plan will be made available at the Committee hearing.
- 3.6 Representatives of the licensed trade have been made aware of potential changes to the Runcorn Station layout at a number of taxi forum meetings.

#### **4. JURISDICTION OF THE COMMITTEE**

- 4.1 The Committee is responsible for determining the Council's policies in connection with the grant, variation, suspension or revocation of licences relating to taxi and private hire (see Terms of Reference of the Regulatory Committee part 17B).
- 4.2 However, the Constitution must now be interpreted in accordance with the case of R (On the application of 007 Stratford Taxis Limited v Stratford on Avon District Council 2011. This Court of Appeal decision interpreted the meaning of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 in respect of matters which must be dealt with by a Council's Executive or by a committee of its council. Essentially, the court held that: (1) it was clear that individual applications relating to taxi matters must be dealt with by the equivalent of this Council's Regulatory Committee and (2) matters calculated to facilitate, or be conducive or incidental to such applications must also be dealt with in the same way but (3) any "plan or strategy" associated with such a function would be an executive function and therefore have to be determined by a council's executive. The Stratford case concerned the introduction of a wheelchair access policy. The decision was taken by the Council's cabinet rather than its Licensing Committee. The challenge from the taxi trade was that the Licensing Committee should have adopted the policy. This element of the challenge was rejected by the court.

4.3 Consequently, any decision of the Regulatory Committee on matters contained in this agenda will be by recommendation to the Executive Board.

## **5. POLICY IMPLICATIONS**

If approved by the Executive Board a new Taxi Ranks Order will be created to sit alongside the existing Order created in October 2018.

## **6. FINANCIAL CONSIDERATIONS**

The cost of implementing the proposed ranks will be shared between the Runcorn Station Quarter redevelopment and the licensing budget.

## **7. IMPLICATIONS FOR THE COUNCILS PRIORITIES**

### **7.1 Children and Young People in Halton**

None

### **7.2 Employment Learning and Skills in Halton**

N/A

### **7.3 A Healthy Halton**

N/A

### **7.4 A Safer Halton**

None

### **7.5 Halton's Urban Renewal**

N/A

## **8. RISK ANALYSIS**

None

## **9. EQUALITY AND DIVERSITY ISSUES**

There are no equality or diversity issues related to a review

## **10. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Executive Board Report/Minutes	Halton Borough Council Website	Kay Cleary Nick Wheeler