

# Regulatory Committee

10.00am, Thursday, 9 January 2020

## Taxi Stance Appointment – St. Andrew Square

Executive/routine

Wards

11 – City Centre

Council Commitments

### 1. Recommendations

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- 1.1 It is recommended that the Regulatory Committee:
  - 1.1.1 notes the content of this report;
  - 1.1.2 notes that officers will carry out statutory consultation on the proposed taxi stance; and
  - 1.1.3 notes that a report will be brought back for a decision after the conclusion of statutory consultation.

**Paul Lawrence**

Executive Director of Place

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## Taxi Stance Appointment – St. Andrew Square

### 2. Executive Summary

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- 2.1 The committee is asked to note that, in order to satisfy the first of the two part process of appointing a taxi stance, the Roads Authority has implemented a Traffic Regulation Order to facilitate the appointment of an authorised taxi stance on the south side of St. Andrew Square ([Appendix 1](#)).
- 2.2 In order to satisfy the second part of this two stage appointment process, the Directorate seeks permission to carry out the statutory consultation required prior to formally appointing the taxi stance, as required by the Civic Government (Scotland) Act 1982.

### 3. Background

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- 3.1 The City of Edinburgh Council, as Licensing Authority, is required to appoint taxi stances in line with the provisions of S.19 (1) of the Civic Government (Scotland) Act 1982 ('the 1982 Act').
- 3.2 The powers available to licensing authorities to provide taxi stances in their respective areas can be exercised provided that they: obtain the necessary prior consents (including that of the Roads Authority); consult the appropriate trade organisations and other representatives; give notice to the Police and the public; and that they do not obstruct access to any premises.
- 3.3 To satisfy the process of obtaining relevant permission from the Roads Authority, taxi stances may also be required to be created by way of Traffic Regulation Orders (TRO). This is separate from the requirements of the 1982 Act, falling within the remit of the Council as the Roads Authority (as opposed to as the Licensing Authority). The appointment of stances is therefore subject to a dual process. Parking restrictions on and around taxi stances are facilitated by a TRO. A process map is included at [Appendix 2](#) for the information of members.
- 3.4 The Directorate has undertaken consultation with taxi trade representatives through the Taxi Stance Working Group. This is a working group of stakeholders made up of officers from the Council's Regulatory and Road network teams and taxi trade representatives. In addition, where required, additional invitees attend to discuss specific items of interest (e.g. officers from Trams, Lothian Buses etc.).

## **4. Main report**

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- 4.1 During significant building and development work at St Andrew Square and surrounding areas in recent years, the need for a taxi stance in the vicinity was recognised and a suitable location was identified as the south side of St Andrew Square, immediately adjacent to the Ivy Restaurant.
- 4.2 There is currently a temporary taxi stance at the proposed locus. A taxi stance was included in the wider development plans and the Roads Authority now seeks to ensure that the taxi stance is approved, correctly marked and identified.
- 4.3 This proposal seeks to regulate the situation by appointing this as an authorised stance in line with the requirements of the Civic Government (Scotland) Act 1982. Officers from the Roads Services team have discussed these proposals with taxi trade representatives through the Taxi Stance working group as part of the initial consultation. Trade members have indicated that they are supportive of the proposal and would support appropriate enforcement of the stance.
- 4.4 Current plans include provision for:
  - 4.4.1 A 10 bay stance to be located on the south side of St Andrew Square from the junction with South St David Street heading in an easterly direction towards South St Andrew Street for 34 metres, terminating immediately adjacent to 4 St Andrew Square (Gaucho restaurant).
  - 4.4.2 No changes to existing disabled parking and loading bays on the south side of St Andrew Square.

## **5. Next Steps**

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- 5.1 If the committee agrees to approve these proposals in principle, the Directorate will undertake its statutory obligations as detailed in 3.2 above and will also undertake the proposed additional engagement actions detailed in section 7 below.
- 5.2 The outcome of these actions and any consultation responses received will be reported back to the committee at the next available meeting, upon conclusion of the 28 day notification period.

## **6. Financial impact**

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- 6.1 The costs associated with the changes to the road infrastructure etc. required to implement these proposals will be managed within the existing Roads budget.

## **7. Stakeholder/Community Impact**

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- 7.1 Initial consultation has been carried out with the trade as detailed in paragraph 4.3. In addition to its statutory obligations of notification and consultation, the Licensing

Authority will also undertake to inform the public and community, relevant partners and agencies including:

7.1.1 Ward 11 councillors;

7.1.2 Community Council representatives.

- 7.2 The publication of the statutory advertisement will allow consultation to take place with the wider business and residential community, relevant partners and agencies.
- 7.3 In January 2018 Roads Services undertook the relevant actions to introduce the required TRO, which included public notification and allowing for an objection period.
- 7.4 There was a total of six objections to the TRO, with one concerning loss of residential parking bays across the city and which was not in direct objection to the relevant TRO. The remaining five objections related to the original proposal to remove motorcycle parking bays. As a result of the objections the motorcycle parking bays were retained, which satisfied five of the six objections. The remaining objection was considered, and analysis of the residential zoning parking bays in the city centre over a 10 year period identified that parking provision has increased in that time
- 7.5 As a result, this objection was set aside and the TRO was approved under delegated authority, in line with the decision of the City of Edinburgh Council at its meeting on 13 December 2018 which allows for orders to be made under delegated authority if there are not more than six objections.
- 7.6 In the event that the proposed taxi stance is appointed, Roads Services will ensure that as part of follow up actions to implement the stance (e.g. laying of road markings, erection of appropriate signage etc.).

## **8. Background reading/external references**

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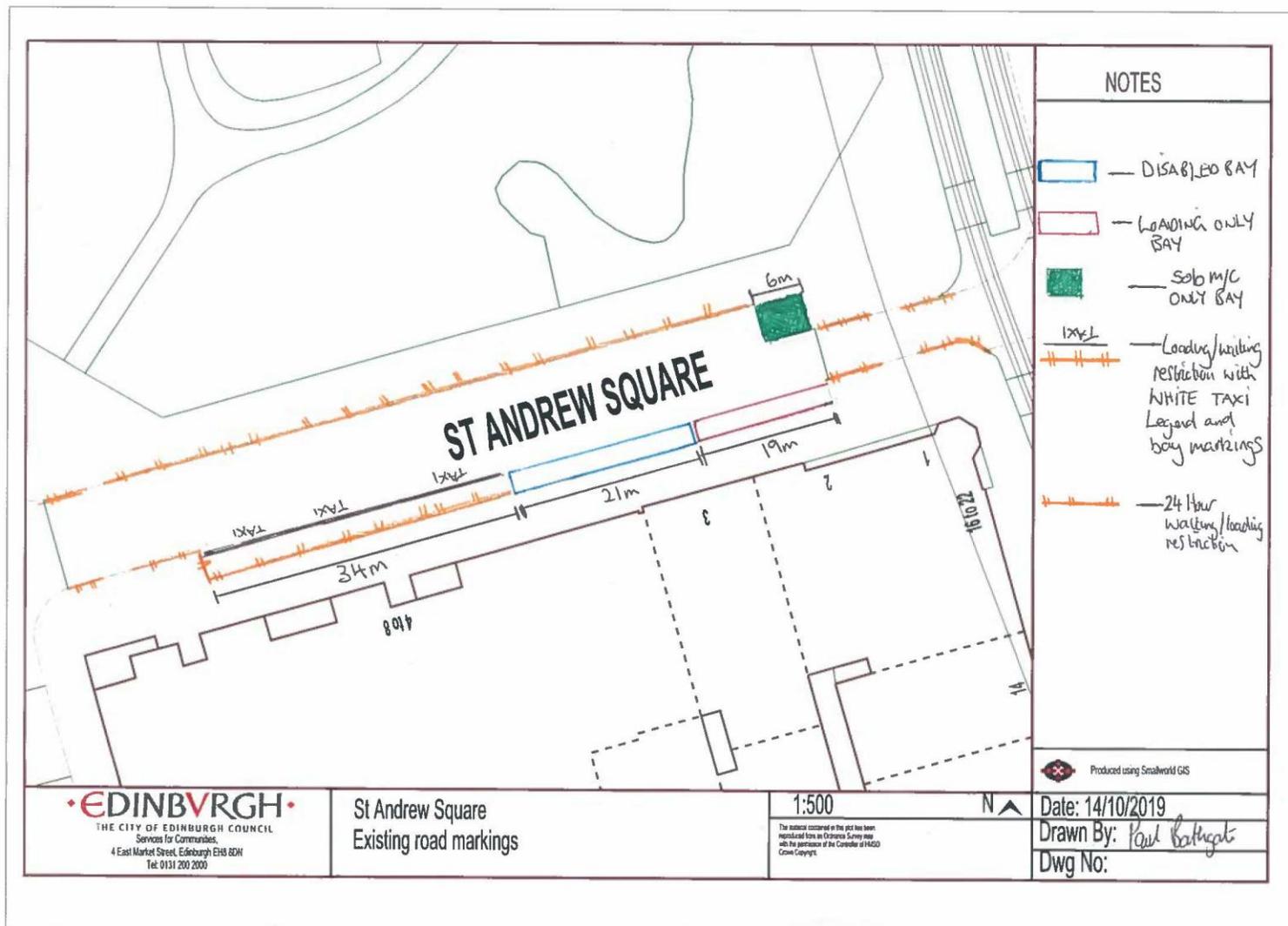
- 8.1 None.

## **9. Appendices**

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- 9.1 Appendix 1 – proposed plan of taxi stance at St. Andrew Square.
- 9.2 Appendix 2 – Taxi stance appointment process flowchart

# Appendix 1 - proposed plan of the taxi stance at St Andrew Square



## Appendix 2 – Stance appointment procedure

### Procedure To Appoint, Vary, Revoke or Alter a Taxi Stance

