

LEEDS TRAIN STATION

NOTE

1. This note supplements my opinion dated 23rd April 2021 and responds to an e mail dated 4th June 2021 from my Instructing Solicitor.
2. The first question relates to the future maintenance of the taxi shelter at Leeds Train Station. I say future maintenance because the taxi shelter in question is prospective, being part of a re-development scheme. The land on which it will stand appears to be part of the station as defined by section 83 of the Railways Act 1993. This means that the British Transport Police can police it. However, the power of policing is not equivalent to an obligation of maintenance on the part of Network Rail.
3. I do not consider that by itself the 1993 Act necessarily secures future maintenance of the taxi shelter by Network Rail. In order to secure that maintenance a simple agreement is needed between the City Council, which is responsible for the highway and can appoint stands for hackney carriages, and Network Rail, which will be responsible for the station. Vires, as far as the City Council is concerned, exist for such an agreement

both under the Local Government (Miscellaneous Provisions) Act 1976 and generally.

4. The form of the prospective agreement is not of vital significance but a licence may be the best route to employ.
5. The second question relates to Network Rail granting a licence, as they do at the moment, to the Joint Trade Council. It would appear prudent for the City Council to grant a licence to Network Rail to do so. I do not consider that a lease is necessary.
6. The third question refers to Network Rail Assistance for passengers operating within the taxi rank under the 1993 Act. Railway services include station services: see section 82 of the 1993 Act. Accordingly, the assistance for passengers contemplated in the question can be given at the taxi rank, which is part of the station.
7. Finally, it is asked about the prospective agreement between Network Rail and the JTC. I consider the first option identified could be pursued. A licence could be granted to Network Rail but there is no need for the agreement to be between the City Council and the JTC.

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IN THE MATTER OF:

LEEDS TRAIN STATION

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