

Appendix 2

Please reply to: Steve Cox,
Principal Safety & Licensing Officer, Licensing
Section, Roebuck House, Torquay. TQ2 5EJ
My ref: SJC/SJC/0617353

To Hackney Carriage Drivers

Your ref:
Telephone: 01803 208126
Fax: 01803 208854
E-mail: Licensing@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 16th January 2009

Dear

Re: Torquay Harbourside & The Strand Taxi rank and Bus Bay

I am writing to you to advise you on the work being undertaken by Torbay Council and the Police to try and resolve issues that are arising in the use of The Strand, its taxi rank, the adjacent bus bay and the roundabout. During 2008 there have been a number of complaints about this area, mainly about drivers using areas not designated as taxi ranks. I have been tasked to try and find a solution to this problem. It is my view that a compromise is needed because there simply isn't enough space for all the demands made upon this area.

Torbay Council is also working with representatives of the Taxi Association to try and help find a solution.

I think it is important in the first instance to remind you that the only places drivers can queue for fares at this time are the three ranks, on Victoria Parade, on The Strand and on Cary Parade. Though waiting has been tolerated at times on the Bus Bay, it is must clear that the road traffic orders in place prohibit this.

Torbay Council has taken the view that it would be helpful to change the bus bay after midnight on the harbour side of The Strand; however it has to seek approval from the Department of Transport for this change. It has approached them about the change to the existing order and they have agreed with our submission that after midnight the Bus bay on the harbour side can become a taxi rank. This will still need to go through the proper channels of advertising etc, but we are hopeful that this can be agreed by mid March.

Until mid March there is no right to use this bus bay before or after midnight, and should you be approached and asked to move on, or even receive a fixed penalty notice, for doing so, I will expect you to comply. Should any driver make threats or anything similar against Torbay Council personnel or their contractors as some have done, they can expect to be brought before the Licensing Committee with the threat of their driver's licence being suspended. This also applies to any arguments with bus drivers, as they too have been warned and in two cases action has been taken against their drivers.

The same applies to the roundabout, where drivers have been queuing on it. This is simply not acceptable and is not only causing an obstruction but is simply dangerous. Ticketing is now taking

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place in that area, as several drivers have discovered.

Finally, at the start of this letter I said Torbay Council is working with the Taxi Association, and through them we hoped to identify some other potential locations for new ranks. It may be that we are not successful, but we do understand times are hard and if we can help we will. The process is slow and there will be other interests regarding any location, who will have a right to raise their concerns, but if we feel the location is right, I will add my support behind any report to Licensing Committee.

In due course I will write again to confirm any changes we have been able to achieve.

If you have any queries then please ring Craig Noble or myself.

Yours sincerely

Steve Cox
Principal Safety & Licensing Officer
Environmental Health & Consumer Protection

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Principal Safety & Licensing Officer, Licensing
Section, Roebuck House, Torquay. TQ2 5EJ
My ref: SJC/SJC/0617353

Your ref:

To Hackney Carriage Drivers

Telephone: 01803 208126

Fax: 01803 208854

E-mail: Licensing@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 3rd April 2009

Dear

Re: Torquay Harbourside & The Strand Taxi rank and Bus Bay

I am writing to you and all other Hackney Carriage drivers to update you on the current situation with respect to taxi ranks and bus bays on the harbourside. The new rank, which is the bus bay on the harbourside of The Strand is now in place, for use after midnight. Stagecoach has agreed to move their final summer buses to the Debenham's side of The Strand to help facilitate this.

Unfortunately Hackney Carriage driver's have taken to using the Debenham's side of The Strand as well, for queuing. This is creating a similar problem that we were trying to resolve on the seaward side, that buses and other vehicles that are using that area legally, are potentially dropping passengers off away from the curb side. This is also happening at the GPO roundabout on the top of Fleet Walk by Tesco's. This could lead to a serious road incident, with potential injury or worse. There have already been a couple of near misses. I am sure this is not something you would wish to see and as a representative of Torbay Council I simply cannot allow to occur.

I must therefore insist that you do not use these areas, notably the bus bays on either side of The Strand and at the old GPO roundabout, by Tesco's. In the case of the seaward side of The Strand, this is just before midnight. This will also apply to any other areas which may cause obstruction of the highway or where there are Road Traffic Orders in place. If anybody is caught using them then they run the risk that action being taken against them, by way of fixed penalty notice or being brought before Licensing Committee.

I am sure this will be seen by many as unreasonable, but you must understand that waiting in these areas is not in compliance with the Road Traffic Orders, which are there to give everybody a share in the road space available, and as I said in my previous letter, there isn't sufficient space for all the competing interests.

Torbay Council is continuing to try and find further alternative spaces, to add to the 31 available after midnight on the harbourside. There are consultations taking place in several areas, following a meeting with the Taxi Association. I will give support to these and work on your behalf to try and secure more rank space, but I cannot promise anything at this time, as at least one location will also require Department of Transport approval, which will take time.

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In due course I will write again to confirm any changes we have been able to achieve, but meanwhile be warned that enforcement action will commence before Easter.

If you have any queries then please ring Craig Noble, Shaun Rackley or myself.

Yours sincerely

Steve Cox
Principal Safety & Licensing Officer
Environmental Health & Consumer Protection

Please reply to: Steve Cox
Safety & Licensing Team
Roebuck House, Abbey Road,
Torquay, Devon
TQ2 5EJ

To All Hackney Carriage Drivers

My ref: SJC/BRE/0618190
Your ref:
Telephone: 01803 208126
Fax: 01803 208854
E-mail: Licensing@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 4th December 2009

Dear

Re: Torbay Harbourside & The Strand Taxi rank and Bus bay

I am writing to you and all other Hackney Carriage Drivers to clarify the article in the Herald Express on Monday 23rd November, which you may have read. Torbay Council and Devon and Cornwall Police have been in discussions over the last 12 months to find solutions to a number of issues regarding the non-observation of Road Traffic Orders by some Hackney Carriage Drivers. This applies to all areas of Torbay, but especially on the harbourside.

In January and April 2009 I wrote to all drivers about what is expected in terms of where they queue or park up, but unfortunately many drivers have ignored my advice. This was re-enforced by the use of staff from NCP to ask drivers not to use certain areas, but again many drivers have since ignored this. These staff, who are doing our work, have often received abuse, which is totally unacceptable. This was only from a minority of drivers and these are being dealt with.

In light of drivers ignoring advice, new technology is being investigated and adopted to mean that drivers may receive fixed penalty notices without the need of any ticket being affixed to a vehicle. In the meantime evidence is being collected by Officers of Torbay Council, NCP staff and the Police of non-compliance with Road Traffic Orders. If you are generally compliant with Road Traffic Orders then you have nothing to concern yourselves about. But should you be witnessed queuing or parking in non-authorised areas you will be brought before Licensing Committee with the risk of having your drivers badge suspended. I take no pleasure in issuing this warning but due to a significant minority ignoring previous requests it has left me with no option. So you must take this as a final warning.

So why are we doing this? Firstly to ensure all road users have their fair share of the limited space. This is particularly true of Torquay harbourside, but this equally applies elsewhere on the harbourside and in Torbay generally. Before midnight taxis have 18% of allocated space on the harbourside. After midnight it is 26%. The second reason is to avoid accidents due to incorrectly queuing or parked vehicles.

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What else are we trying to do?

Discussions continue between various departments and the Police to find solutions and consultation has taken place on a section of road on Torwood Street in recent months, but unfortunately again the objections are too strong to change the present designation. Due to this we are prepared to allow 'unofficially' that the rear of the Strand bus stop 4 spaces to be used between 9pm and midnight. This is not a permanent situation because the development of further bus routes is one of the objectives of Torbay Council and the space may be needed in the future. However it may help us all get through the recession to better times.

There are also other considerations in the pipeline, but these would be linked to harbourside developments, so are not likely to arise in the near future. However we will continue to consider any options that are presented to us.

So as one final reminder, comply with the Road Traffic Orders or run the risk of having your drivers badge suspended, or worse.

Yours sincerely

Steve Cox
Principal Safety and Licensing Officer
Safety and Licensing Section