

Record of Decisions

Proposals to remove/alteration of existing and the creation of new Hackney Carriage Stands under the Local Government (Miscellaneous Provisions) Act 1976

Decision Taker

Cabinet on 18 November 2025.

Decision

That the following be approved:

Removal of:

- 3 car (24 hour) stand at the Strand, Torquay;
- the 10 car (12 midnight to 6am) stand at the Strand Bus Bay, Torquay;
- the 4 car (6pm – 8am) stand at Torwood Street, Torquay;
- the 3 car (6pm -8am) stand at Torbay Road, Paignton (outside 6-8 Torbay Road);

Amendment of:

- the 8 car (24 hour) stand at Cary Parade, Torquay to operate from 12 midnight to 6am;

Creation of:

- a new 3 car (24 hour) rank at Vaughan Road, Torquay;
- a new 4 car (24 hour) stand at Fleet Street, Torquay;
- a new 4 car (24 hour) stand at the Eastern End of Torbay Road, Paignton (near the junction of Esplanade Road);
- a new 3 car (24 hour) stand at the Western End of Torbay Road, Paignton (outside 10 – 16 Torbay Road; and
- a new 2 car (24 hour) stand at the Western End of Torbay Road, Paignton (outside 18-20 Torbay Road).

Reason for the Decision

It was necessary to approve the removal and appointment of Hackney carriage stands as prescribed under section 63 of the Local Government (Miscellaneous Provisions) Act 1976, in order to empower Licensing Officers to take enforcement action for any offences committed under the Local Government (Miscellaneous Provisions) Act 1976 or hackney carriage byelaws on the new rank space which had been made available following the changes that had occurred to facilitate necessary public realm works in the area.

Implementation

This decision will come into force and may be implemented on 1 December 2025 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The redevelopment of the Strand, Torquay and Paignton Station has involved numerous meetings with Highways Safety Engineers, Taxi Licensing, Transport Planning and representatives of the hackney carriage and private hire trade to consider options to provide alternative ranks following the redevelopment works and ensure that there were a suitable

number of hackney carriage stands (ranks) in Torbay. As these stands were to be on the public highway, the consent of the Highways Department was required via Traffic Regulation Orders (TRO). The TRO imposes waiting or parking restrictions on the location to permit only hackney carriages to use the rank. However, they are not hackney carriage stands within the meaning of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, hackney carriage byelaws or any other legislative provisions referring to hackney carriage stands. To ensure enforcement can be undertaken by Licensing Officers, these ranks must be formally adopted as hackney carriage stands.

At the meeting Councillor Tranter proposed and Councillor David Thomas seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The alternative options were to reject the proposed changes, this was not considered a viable option as the Licensing Authority would not be able to take enforcement action on the new rank spaces. Furthermore, there have been very few objections to the proposals and Torbay Licensed Taxi Association, TULDA and private hire operators have been involved in the design of the ranks. The provision of these new and amended ranks would be for the benefit of the travelling public and the taxi trade. The Paignton Ranks would provide nine additional taxi rank spaces that could be used by any hackney carriage compared to the private rank at Paignton Station which requires a GWR permit to use the rank.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

21 November 2025

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet