



Wednesday, 24 October 2018

## **LICENSING COMMITTEE**

A meeting of **Licensing Committee** will be held on

**Thursday, 1 November 2018**

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

### **Members of the Committee**

Councillor Thomas (J) (Chairman)

Councillor Brooks	Councillor Stocks
Councillor Darling (M)	Councillor Stubley
Councillor Excell	Councillor Sykes
Councillor Lewis (B)	Councillor Thomas (D)
Councillor Manning	Councillor Tolchard
Councillor Mills	Conservative - Vacancy
Councillor Pentney	Liberal Democrat - Vacancy

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**A prosperous and healthy Torbay**

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For information relating to this meeting or to request a copy in another format or language please contact:

**Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR**  
**01803 207087**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)

[www.torbay.gov.uk](http://www.torbay.gov.uk)

# LICENSING COMMITTEE AGENDA

1. **Apologies**  
To receive any apologies for absence, including notifications of any changes to the membership of the Committee.
2. **Minutes** (Pages 3 - 4)  
To confirm as a correct record the Minutes of the meeting of this Committee held on 19 July 2018.
3. **Declarations of interest**
  - (a) To receive declarations of non pecuniary interests in respect of items on this agenda  
**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
4. **Urgent items**  
To consider any other items that the Chairman decides are urgent
5. **Hackney Carriage and Private Hire Licensing Policy 2018** (Pages 5 - 125)  
To consider representations received following consultation on the draft Policy and to seek Members agreement to the new Policy which shall amend and replace the existing Policy.
6. **Result of an Unmet Demand Study of Taxis in Torbay** (Pages 126 - 234)  
Members are asked to consider the recommendations contained within the consultants report in respect of quantity control and to make a decision whether the current quantitative (numerical) limit on Hackney Carriages in Torbay as outlined in this report should be retained.



## Minutes of the Licensing Committee

19 July 2018

**-: Present :-**

Councillor Thomas (J) (Chairman)

Councillors Brooks, Lewis (B), Mills, Parrott, Stocks, Stubley, Sykes and Tolchard

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**49. Election of Chairman/woman**

Councillor Thomas (J) was elected Chairman for the 2018/2019 Municipal Year.

**50. Appointment of Vice-Chairman**

Councillor Stocks was appointed Vice-Chairman for the 2018/2019 Municipal Year.

**51. Apologies**

Apologies for absence were received from Councillors Thomas (D), King and Pentney.

**52. Minutes**

The Minutes of the meeting of the Licensing Committee held on 15 March 2018 were confirmed as a correct record and signed by the Chairman.

**53. Gambling Act 2005 - 'Statement of Principles 2019' (Gambling Policy)**

The Committee considered a report that sought agreement for officers to consult upon a revised Statement of Principles (Gambling Policy). The Principal Licensing and Public Protection Officer informed Members that the Gambling Act 2005 requires that Torbay Council must review and publish a Statement of Principles every three years outlining the procedures it intends to follow in discharging its statutory responsibilities under the Act.

The Principal Licensing and Public Protection Officer advised Members that the policy had been reviewed in line with Gambling Commission Guidance and where possible sought uniformity with neighbouring authorities. Therefore, Members agreement to commence consultation was sought.

Resolved:

- i) that the proposed alterations to the Statement of Principles 2019 as highlighted in Appendix one to the submitted report be approved; and
- ii) that the Statement of Principles 2019 referred to in i) above be released for public consultation for a period of 10 weeks.

Chairman/woman

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Public Agenda Item: **Yes**

Title: **Hackney Carriage and Private Hire Licensing Policy**

Wards Affected: **All**

To: **Licensing Committee** On: **1 November 2018**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Gary O'Shea**  
Telephone: **01803 208025**  
E.mail: **Gary.oshea@torbay.gov.uk**

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## 1. What we are trying to achieve

- 1.1 Members agreement to the new Hackney Carriage and Private Hire Licensing Policy referred to as 'The Policy'. The Policy shall amend and replace the existing Policy.
- 1.2 To provide Members with an opportunity to approve the Policy and to consider the representations received during the consultation period, some of which have been incorporated within the Policy. See **Appendix 1**.

## 2. Recommendation(s) for decision

- 2.1 To approve the Policy as set out in **Appendix 1**.

## 3. Key points and reasons for recommendations

- 3.1 Under the provisions of the Town Clauses Police Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles, Private Hire Operators and the drivers of those vehicles within Torbay.
- 3.2 Torbay Council, as the Licensing Authority has duty to provide a framework within which vehicles, operators and drivers are licensed for the safety of the public and other road users. This Policy sets the expected standard and expectations in this regard.
- 3.3 The revised Policy, attached in **Appendix 1**, incorporates changes in legislation,

guidance and current best practice and provides for a more robust licensing regime within Torbay than that which currently exists. This draft Policy, was agreed by Licensing Committee on the 15<sup>th</sup> March 2018 for consultation with the intention not to revisit parts of the Policy which have not received representations. The draft Policy in Appendix 1 therefore only highlights any additional changes from that previously agreed.

- 3.4 This Policy was subject to a 12 week consultation period. This period concluded on 31<sup>st</sup> August 2018.
- 3.5 In order to facilitate response, a questionnaire was developed which highlighted and sought views on the key changes within the Policy. In total 213 questionnaires were returned. A summary of the responses and recommended action following assessment of those responses is attached at **Appendix 2**.
- 3.6 In addition to the questionnaires, a separate representation was received from the Torbay Taxi and Private Hire Association (TPHA), a further 23 copies of the TPHA representation in support of their views were also received from individuals that are not part of the TPHA and another 3 individual letters from other trade members. A copy of the TPHA response and the 3 individual letters are attached at **Appendix 3**.
- 3.7 A further response was received from the Guide Dogs for the Blind Association, whilst this recognises elements of the proposed Policy, which are welcome, the association have suggested some amendments. The full representation is attached at **Appendix 4** and is addressed, with appropriate recommendations in the consultation response summary attached at **Appendix 2**.
- 3.8 The representations have been considered and where necessary or appropriate to do so, the Policy has been amended with an explanation provided in the summary at Appendix 2 as to why the change is considered to be necessary or appropriate.
- 3.9 Approval of the Policy is a Licensing Committee decision. Any challenge to the Policy would have to take place within three months of it being adopted. Such a challenge would be by way of Judicial Review.

**For more detailed information on this proposal please refer to Annex A.**

**Steve Cox**  
**Environmental Health Manager (Commercial)**

## Annex A – Supporting information to Report

### A1. Introduction and history

- A1.1 Under the provisions of the Town Clauses Police Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles, Private Hire Operators and the drivers of those vehicles within Torbay.
- A1.2 Torbay Council, as the Licensing Authority has a duty to provide a framework within which vehicles, operators and drivers are licensed for the safety of the public and other road users. This Policy sets the expected standard and expectations in this regard.
- A1.3 The revised Policy, attached in **Appendix 1**, incorporates changes in legislation, guidance and current best practice and provides for a more robust licensing regime within Torbay than that which currently exists.
- A1.4 This draft Policy, was agreed by Licensing Committee on the 15<sup>th</sup> March 2015 for consultation with the intention not to revisit parts of the Policy which have not received representations. The draft Policy in **Appendix 1** therefore only highlights any additional changes from that previously agreed.
- A1.5 This draft Policy was subject to a 12 week consultation period. This period concluded on 31<sup>st</sup> August 2018 and focused predominantly on the following significant changes
- Requirement to appear before Licensing Committee for any driver where more than 9 penalty points are current on his/her DVLA driving licence at any time
  - Requirement for Child Sexual Exploitation (CSE) training
  - More regular checks (every 6 months) of DVLA endorsements
  - A new code of conduct for drivers
  - Increase in the maximum permitted age of a licensed vehicle
  - Decrease in the maximum permitted mileage of a vehicle when first presented for licensing
  - Introduction of a vehicle compliance testing requirement
  - Requirement for permanently affixed door signs
  - Addition of a set of conditions for Wheelchair Accessible Vehicles (WAV's)
  - Livery Policy
  - Changes to engine size specification (allowing for measurement of Electric vehicle power and leaner burn engines)
  - Recognition of CCTV in licensed vehicles and provision of guidance for the use of CCTV systems
- A1.6 A questionnaire was developed which highlighted and sought views on these key Policy changes. In total, 213 questionnaires were returned. A summary of the responses and recommended action following assessment of those responses is attached at **Appendix 2**.

A1.7 In addition to the questionnaires, a separate representation was received from the Torbay Taxi and Private Hire Association (TPHA), a further 23 copies of the TPHA representation in support of their views were also received from individuals that are not part of the TPHA and another 3 individual letters from other trade members. A copy of the TPHA response and the 3 individual letters are attached at **Appendix 3**.

A1.8 A further response was received from the Guide Dogs for the Blind Association, whilst this recognises elements of the proposed Policy, which are welcome, the association have suggested some amendments. The full representation is attached at **Appendix 4** and is addressed, with appropriate recommendations in the consultation response summary attached at **Appendix 2**.

A1.9 The changes to the Policy resulting from representations received during the public consultation are covered below.

- Wording to permit the removal of Roof Lights and door signs has been removed from the Policy
- An amendment to paragraph 14.29 of the proposed Policy as outlined under recommendation C in **Appendix 2**
- An amendment to paragraph 5.26 of the Policy to strengthen the evidential requirement relating to exemption from carry assistance dogs as outlined under recommendation D in **Appendix 2**.
- A change to the livery Policy requirement, as under recommendation M in **Appendix 2**.
- An addition, to permit exemption from door signs in respect of purely executive/corporate hire vehicles as under recommendation N in **Appendix 2**.

A1.10 Careful consideration was given to all representations received following the public consultation period but some of the issues raised did not result in an amendment to the Policy. The full reasoning is outlined in **Appendix 2**.

## **A2. Risk assessment of preferred option**

### **A2.1 Outline of significant key risks**

Approval of the Policy is a Licensing Committee decision. Any challenge to the Policy would have to take place within three months of it being adopted. Such a challenge would be by way of Judicial Review.

## **A3. Options**

- A3.1 (i) To agree the new Policy  
(ii) To amend and agree the new Policy  
(iii) To refuse to endorse the new Policy

## **A4. Summary of resource implications**

A4.1 There are no significant additional resource implications that will derive from the Council discharging its routine and ongoing responsibilities, under the Hackney Carriage and Private Hire licensing regime.

**A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 There are no perceived equalities implications. Some environmental sustainability benefits are expected over time, due to the implementation of the alteration to the vehicles specifications on engine sizes and recognition of electric and hybrid technology. There are no direct Crime and Disorder implications.

**A6. Consultation and Customer Focus**

A6.1 There was a statutory period of 12 weeks public consultation on this draft Policy. This took place between the 8<sup>th</sup> June 2018 and 31<sup>st</sup> August 2018. This included consultation with those involved in providing the services and those using them.

**A7. Are there any implications for other Business Units?**

A7.1 There are no significant implications for other business units relating to this report.

**Appendixes**

**Appendix 1** Hackney Carriage and Private Hire Licensing Policy 2018

**Appendix 2** Consultation response summary

**Appendix 3** Representation from TPHA and 3 independent trade members

**Appendix 4** Guide Dogs for the Blind Association response

**Documents available in members' rooms:** None

**Background Papers:**

The following resources and documents were used to compile this report:

Department for Transport Guidance

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## **Foreword**

This section does not form part of the Policy and is for information purposes only.

This Policy will guide the Council, as the “Licensing Authority” when considering applications under the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, as amended, which places on Torbay Council the duty to carry out its licensing functions in respect of Hackney Carriages and Private Hire vehicles.

We would encourage all those involved in the taxi trade, service users, residents and community groups to take time to read this consultation document and put forward representations whether in support of or against any aspect of this Policy.

### Torbay Council Equality

We are committed to acknowledging the full diversity of our community and to promoting equality of opportunity for everyone in Policy making, service delivery, employment practice, regulation and enforcement.

If you have any questions or queries about this document:

#### **Write to us at:**

Licensing Section  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

**Or contact us by fax or email or via our website on:**

**Phone:** 01803 208025

**Email:** [taxirenewals@torbay.gov.uk](mailto:taxirenewals@torbay.gov.uk)

**Website:** [www.torbay.gov.uk](http://www.torbay.gov.uk)

## Licensing Authority Area

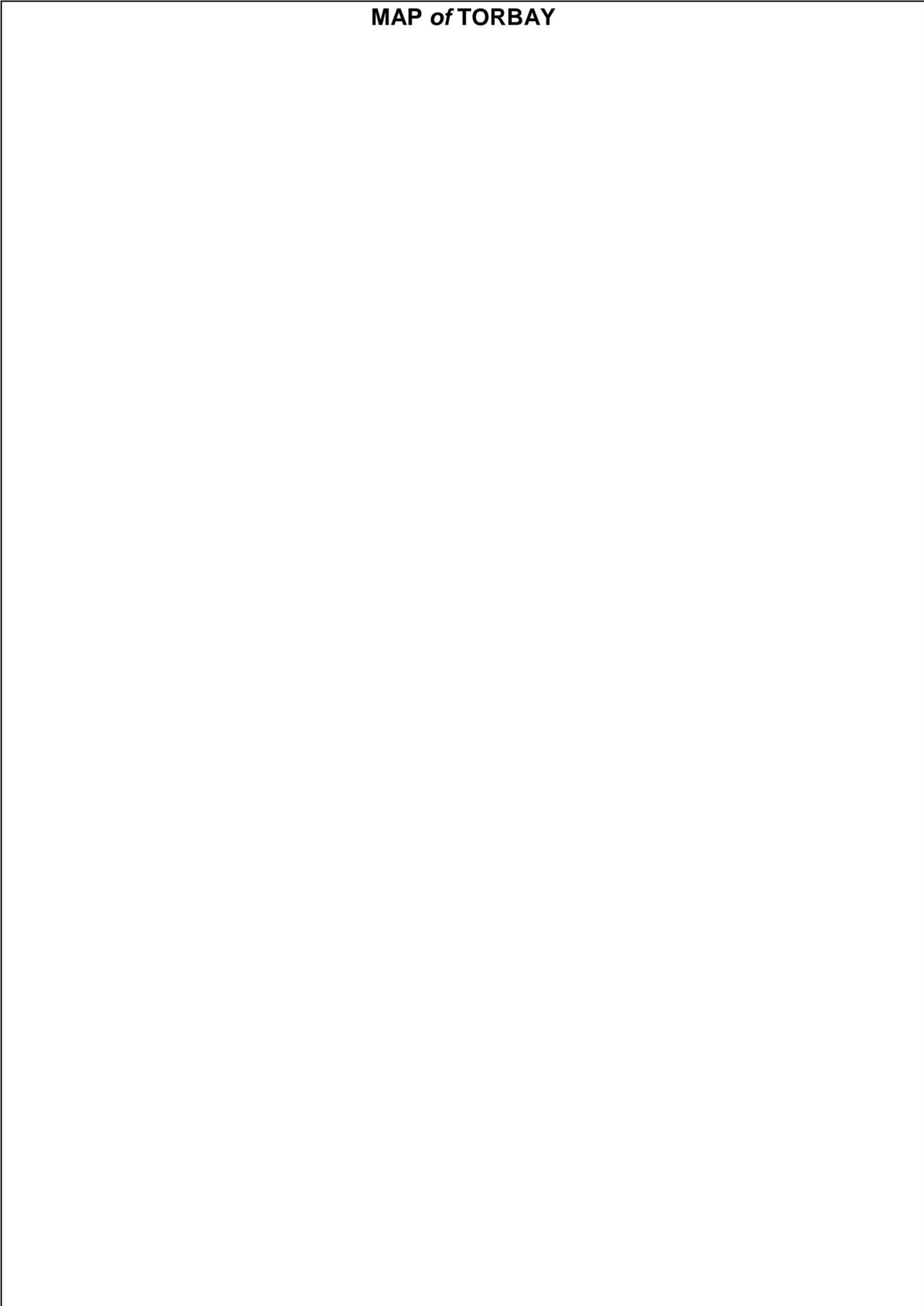
Torbay is situated on the South Devon coast, on the south west peninsular of England and comprises the three towns of Torquay, Paignton and Brixham. Torbay is an outstanding coastal destination, including 22 miles of coastline which has shaped its economic and social development over time. Historically the local economy has focused on tourism, fishing and to a lesser extent manufacturing activities.

The three towns of Torbay and its environs have a combined population of around 134,000, making Torbay the second largest conurbation to the south west of Bristol. Tourism in Torbay today accounts for 1.45 million staying visitors plus 3.8 million day visitors, generating a direct and indirect spend of £442 million per annum. This represents around one third of the area's wealth and also one third of its jobs.

Torbay Council is committed to a broad corporate vision for Torbay and through the Torbay Strategic Partnership the Council has formulated a Community Plan, built around the principles of creating and developing an area that:

- Is prosperous area known to be a great place to live and learn and grow up in.
- Is able to compete on a world stage in our traditional industries of tourism and fishing.
- Communities know and support each other and enjoy some of the best quality of life in England.
- Widens opportunities and provides high quality employment and retains our young people in the Bay.
- Celebrates the differences in the three towns, builds on the strengths of these towns and brings back the feel good factor.

**MAP of TORBAY**



## Overview

Hackney Carriages and Private Hire vehicles are an important mode of local transport, and as such, have a specific role to play in an integrated transport system. They are able to provide safe, secure and comfortable transport, providing an on-request door-to-door service in various circumstances, including where public transport may not be available (e.g. in very rural areas), or for those with mobility difficulties.

The aim of the Policy is to regulate the provision of a robust taxi and Private Hire licensing system, which ensures that the public travel safely, receive a good level of service and drivers and operators are not overly burdened by unnecessary conditions.

In setting out its Policy, the Licensing Authority seeks to promote the following objectives:

- The safety and health of drivers and the public;
- Vehicle safety, comfort and access;
- To prevent crime and disorder and to protect the public;
- To encourage environmental sustainability;
- To ensure a professional and courteous Hackney Carriage and Private Hire vehicle service.

Public safety is paramount, and this Licensing Authority seeks to ensure through its licensing regime that all taxi and Private Hire vehicles are fit for purpose and that their drivers and/or operators are fit and proper persons.

This Policy provides information and guidance to licence applicants, clarity for licensed vehicle owners, drivers and operators and the public as to the way that the Licensing Authority will undertake its licensing functions. In addition, the Policy document seeks to assist the Licensing Authority in reaching a decision on a particular application or as regards a particular enforcement issue, setting out those matters that will normally be taken into account.

This Policy will be kept under review to take into account changes in legislation and best practice. Information collated over a period of time, coupled with the outcomes of any updates in legislation or associated government guidance. The Policy and supporting appendices to the Policy may be updated from time to time, and therefore, applicants and all other interested persons are advised to contact the Licensing Department for up-to-date information; however information of changes will be provided to applicants and licence holders, as appropriate.

In the preparation and publication of this Policy the Licensing Authority has had regard to the following:

- Guidance issued by the Department for Transport (“Taxi and Private Hire Vehicle Licensing: Best Practice Guidance” – Edition March 2010).
- Relevant legislation.
- Existing Torbay Council Taxi Handbook
- Discussions benchmarking with Partner Agencies and other Local Authorities
- Consultation with Taxi Trade
- Licensing Objectives.

**Nothing in this Policy document should be regarded or interpreted as an indication that any requirement of licensing or other law may be overridden.**

## **Hackney Carriage and Private Hire Licensing Policy**

### **1. Introduction**

- 1.1 This Policy is written pursuant to the provisions of the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976, as amended, Transport Acts of 1980 and 1985, which places on Torbay Council the duty to carry out its licensing functions in respect of Hackney Carriages and Private Hire vehicles.
- 1.2 It is recognised that other legislation exists which impact on taxi licensing, such as the Equality Act 2010, and therefore aspects of this Policy pay regard to these additional legislative requirements.
- 1.3 The Policy takes effect from **2<sup>nd</sup> November 2018**
- 1.4 The Policy relates to Hackney Carriage and Private Hire vehicle licensing and the licensing of drivers and operators.
- 1.5 The purpose of this Policy is to assist the Licensing Authority in reaching a decision on any particular application, and in setting out those matters that are normally taken into account. Additionally, the document seeks to provide clear advice for licence holders in terms of the standards expected, and also to provide general advice to service users and the general public.
- 1.6 The Policy is subject to periodic review approximately every five years, or earlier should it be appropriate to do so. Any major changes to the Policy made between review periods will be preceded by public consultation.
- 1.7 Any changes in relevant legislation will supersede this Policy.

### **2 Licensing Objectives & Related Legislation**

- 2.1 The Licensing Authority is committed to ensuring the provision of a professional Hackney Carriage and Private Hire service, by continued monitoring and improvement of standards and procedures. The Licensing Authority also seeks to promote the objectives as set out in the overview to this Policy when considering applications, or when assessing the continuance of an existing licence.
- 2.2 In promoting these objectives, considerations such as those set out at Paragraphs 2.3 to 2.7 of the Policy will be taken into account by the Licensing Authority, and applicants and licence holders will be expected to continuously demonstrate that they can meet or exceed specifications set by the Licensing Authority.

### 2.3 Safety and Health of Driver and the Public:

- Consideration of any convictions and/or cautions;
- Driver training, qualification and performance;
- Health and fitness of applicant for driver licence, or existing licence holder;
- Regular driver health checks;
- Vehicle specifications;
- Knowledge of the geographical area of Torbay.

### 2.4 Vehicle Safety, Comfort and Access:

- Standards of vehicle appearance and comfort;
- Use and location of ranks;
- Provision for disabled persons;
- Provision for all age groups;
- Provision of safe and comfortable premises for customers to use, if applicable.

### 2.5 To Prevent Crime and Disorder and to Protect the Public:

- Vetting, qualification, training and monitoring of licence holders;
- Operating rules and disciplinary processes;
- Measures to prevent noise and light nuisance from taxi activities;
- Commitment to work with Licensing Authority, Police and other statutory authorities.

### 2.6 To Encourage Environmental Sustainability:

- Investigate alternative fuels and conversion systems;
- Investigate the potential for providing an environmental levy or reducing licence fees for cleaner vehicles;
- Involve Taxi Trade in identifying ways to reduce vehicle emissions;
- Consideration of suitability of vehicles that are unable to comply with Euro Technology (or equivalent standard) requirements.

### 2.7 Professional and Courteous Service

- Driver appearance (as per **Appendix B**)
- Driver conduct (as per **Appendix B**)
- Vehicle standards and suitability

2.8 The Licensing Authority is aware that applying licensing requirements which are unduly stringent may unreasonably restrict the supply of taxi and Private Hire services, and can lead to negative safety implications. Therefore, the Licensing Authority has considered each of its licensing requirements in relation to the proportion of risk it aims to address.

- 2.9 The Licensing Authority recognises that its licensing function is only one means of securing the delivery of the Policy. The Licensing Authority will therefore continue to work in partnership with other stakeholders, such as the Police, Crime & Disorder Partnerships and the Vehicle and Operator Services Agency (VOSA) towards the promotion of the objectives of this Policy.
- 2.10 In undertaking its licensing function, the Licensing Authority will have regard to the following legislation:
- Town and Police Clauses Act 1847
  - Transport Act 1980 & 1985
  - Road Traffic Acts
  - The Local Government (Miscellaneous Provisions) Act 1976, as amended
  - Environmental Protection Act 1990
  - Health Act 2006
  - The Smoke-free (Premises and Enforcement) Regulations 2006
  - The Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007
  - The Equality Act 2010
  - The European Convention on Human Rights, which is applied by the Human Rights Act 1998
  - The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002
- 2.11 The Licensing Authority will also have regard to any other relevant legislation, strategies, policies and guidance in its decision-making.

### **3. Consultation**

- 3.1 Before determining this Policy, the Licensing Authority will consult with numerous persons and organisations including the following:
- Taxi Trade within the area of Torbay
  - Taxi Trade Representative/s
  - Department for Transport (including VOSA)
  - Driving Standards Agency
  - Chief Officer of Police, Devon & Cornwall Constabulary
  - Torbay Council's Environmental Health Department, Highways Transport Services, Development Control Department, Community Safety Team
  - Town Councils within the area of Torbay
  - Citizens Advice Bureau
  - Age UK Torbay
  - Living Options Devon
  - Torbay Disability Information Service
  - Devon Rape Crisis and Sexual Abuse Service
- 3.2 Consultees are permitted to make representations in writing or via electronic means e.g. email response. Consideration and proper weight will be given to all representations prior to this Policy taking effect.

## 4. Departure from Policy

- 4.1 In exercising its discretion in carrying out its functions, the Licensing Authority will have regard to this Policy and the objectives set out therein.
- 4.2 Where it is necessary for the Licensing Authority to depart from this Policy, clear and substantive reasons for doing so will be given.

## 5. Drivers

### General Licensing Requirements

- 5.1 It is a legal requirement that drivers of either Hackney Carriages or Private Hire vehicles obtain from the Licensing Authority a licence to drive such vehicles.
- 5.2 The Licensing Authority issues Joint Driver Licences, enabling drivers to operate either a Hackney Carriage or a Private Hire vehicle, without the need to obtain a separate driver licences. These licences are referred to throughout this Policy as. 'a dual drivers licence'.
- 5.3 The Licensing Authority will issue a licence to an applicant provided that the applicant has held an EEA (European Economic Area) e.g. European Union (EU) full driving licence for at least 12 months, and is a "fit and proper" person to hold such a licence.
- 5.4 When determining whether a person is "fit and proper", the Licensing Authority will require the applicant to demonstrate that:
- i) They understand the local geography of Torbay, by successfully completing a knowledge test
  - ii) They are able to communicate effectively with customers, to include a basic understanding of the English language
  - iii) They successfully pass a Group II standard medical assessment
  - iv) They successfully complete a Driving Standards Assessment (DSA), as recognised by the Licensing Authority
  - v) They satisfy the requirements of the Licensing Authority with regard to any previous or current criminal conduct and has produced an acceptable Disclosure and Barring Service (DBS) certificate to that effect
  - vi) They have a satisfactory driving history, as verified through the DVLA and in accordance with the Convictions Policy at **Appendix A**
  - vii) They are considered 'fit and proper' by the Licensing Authority, taking account of any other relevant information as may be requested and considered appropriate by the Licensing Authority.

### **Age, Experience and non UK Nationals**

- 5.5 The Licensing Authority will not have regard to the age of an applicant when determining their suitability where it can be shown that:

- The applicant holds a valid full United Kingdom (UK) driving licence (licence issued in accordance with Part III of the Road Traffic Act 1972 (as amended) and that this licence must have been held for no less than 12 months at the time of application).
- An applicant who meets the licensing requirements by virtue of an acceptable non UK driving licence must obtain a full UK driving licence within 12 months of the issue of their Torbay Council dual driver's licence.

5.6 Where the requirement in Paragraph 5.5 above is not satisfied, the dual drivers licence issued by the Licensing Authority will be suspended until such time as the requirement is satisfied and any subsequent licensed driver application or renewal application will not be accepted, whilst this remains the case. Should a licence expire during the suspension period, it will not be renewed. Once all outstanding requirements are satisfied, the licence holder must make an application for the grant of a new Torbay Council dual driver's licence.

5.7 Applicants are advised to note that immigration checks will be carried out in accordance with the provisions of the Immigration Act 2016, in order to establish in respect of all applicants that they have the right to work in the UK. These checks may take some time to be finalised and until such checks are concluded, they will not be permitted to work as a licensed driver.

5.8 If the immigration status of any applicant or licence holder changes e.g. their permission to remain in the UK has been cancelled, or they have been issued with a deportation notice, or they have been convicted of an immigration offence, they must immediately notify the Licensing Authority and return and badge and/or licence that has been issued to them.

### **Driver Knowledge and Proficiency**

5.9 Licensed drivers require a good working knowledge of the geographical area in which they operate and a basic understanding of the English language in order to meet reasonable customer expectations. The Licensing Authority, as part of determining the fitness of an applicant to hold a dual drivers licence, requires that applicants undertake a knowledge test, which examines their knowledge of local geography and knowledge of the Highway Code. This test is carried out at a place determined by the Licensing Authority and consists of questions relating to the conditions of licence, geographical knowledge of the area, an assessment of understanding of English language, the Highway Code and any other matters as may be considered appropriate or necessary from time to time.

5.10 Licensed drivers, as a profession, have a responsibility for the safe transportation of fare-paying passengers. Therefore, the Licensing Authority as part of its application procedure requires a Driving Standard Assessment (DSA) of the drivers' ability and must be obtained by all new applicants prior to grant of any licence. A confirmation certificate of this successfully completed assessment must be submitted to Torbay Council's Licensing Department with the application.

- 5.11 The driving assessment is achieved by successful completion of the appropriate Driving Standards Agency Assessment (DSA) Practical Driving Test. The test is reflective of modern driving practices; the standard is set at a level suitable for the full driving licence holder.
- 5.12 Where an existing licensed driver receives over 6 (six) endorsement/s or penalty points on their licence within each licensing year, the Licensing Authority will require that person to undertake and pass a DSA. If this is not obtained within 3 months of the notification to the Licensing Authority, then the existing licensed drivers badge will be suspended until the necessary driving standards assessment is completed and confirmation of this has been provided to the Licensing Authority.
- 5.14 Where an existing licensed driver receives more than 9 (nine) penalty points on their driving licence that are current at any given time, that driver will be required to appear before a Licensing Sub-Committee. This will be in order to explain the circumstances and for consideration as to whether they remain a 'fit and proper' person to continue to hold a Torbay Council dual drivers licence.
- 5.15 Drivers who fail to notify the Licensing Authority of any endorsements received may face disciplinary action, which could result in appearance before a Licensing Sub-Committee and/or suspension or revocation of the licence issued to them.
- 5.16 The Licensing Authority has no current plans to make it a mandatory requirement for a driver to obtain a professional qualification – e.g. a BTEC Level 2 Award in Transporting Passengers by Taxi and Private Hire. However, the Licensing Authority would encourage drivers to undertake this qualification as a matter of good practice.
- 5.17 Within 6 months of being granted a Torbay Council dual drivers licence, all licence holders will be expected to have attended a child sexual exploitation (CSE) awareness course. Licensed Hackney Carriage and Private Hire Vehicles are key modes of transport and as such, may be used by perpetrators which mean that a licensed driver is placed in a position where they may be able to identify and report cases where a child is perceived to be at risk. The cost of the CSE course will be borne by the licence holder.
- 5.18 All existing licensed drivers from 1 October 2018 will be required to attend a CSE awareness course as directed by the Licensing Authority.
- 5.19 Any driver, who by 1 May 2019, has not undertaken their CSE awareness training, will have their dual driver's licence suspended until such time as the training has been completed and evidenced to the Licensing Authority. If a suspension extends beyond the remaining term of the licence, the licence will lapse on the expiry date and a new application will be required. No renewal applications will be accepted at any time when there is a suspension in force.
- 5.20 The Licensing Authority at its discretion may require specific training to be undertaken where deemed appropriate. This training may include disability awareness, manual handling, equalities awareness, or anything else as deemed appropriate by the Licensing Authority.

## Medical Examination and Exemptions

- 5.21 The Licensing Authority requires that all drivers complete a medical examination at the application stage and for existing drivers during the term of the licence, as set out in Paragraph 5.22 below. The medical examination will ensure that the applicant/licensed driver satisfies all the requirements of the DVLA Group II Medical Standards of fitness to drive. The applicant/licensed driver must ensure that the G.P practice at which they are registered undertakes the necessary medical examination as this is where the individual medical records are kept. Examination completed by any doctor or medical professional outside of the applicant/drivers registered GP practice will not be accepted and a further examination will be required at a cost to the driver/applicant.
- 5.22 The requirement for applicants/licensed drivers as regards to medical examination is as follows:
- Upon application
  - Every 5 years between the ages of 45 and 65
  - Every year where the driver is aged 65 years or over
  - Or anytime as required by the Council or the medical practitioner.
- 5.23 Where there is any doubt as to the medical fitness of the applicant/licence driver, the Licensing Authority may require the applicant/licence driver to undergo a further medical examination by a Doctor appointed by the Licensing Authority at the applicant's/licence driver's own expense.
- 5.24 Where there remains any doubt about the medical fitness of the applicant/licence driver, following the additional assessment described at Para 5.23 above, the Licensing Authority will have regard to the further medical evidence when making a final decision as to the suitability of the applicant/licence driver to drive a Hackney Carriage or Private Hire vehicle.
- 5.25 All licensed drivers are required to inform the Licensing Authority immediately of any illness, condition or any other matter that affects their ability to drive. Failure to comply with this requirement may result in the suspension of a dual drivers licence with immediate effect where the Licensing Authority deems it necessary on the grounds of public safety. This suspension shall remain in force pending confirmation from the drivers registered GP and/or relevant medical specialist that they are fit to drive to the required standard.
- 5.26 Exemption from carrying guide, hearing and certain other assistance dogs which accompany disabled persons, can only be sought on strict medical grounds. Therefore, applicants will need to clearly demonstrate the grounds for applying this exemption by providing medical evidence to the Licensing Authority, **such as a blood test, a skin prick test or clinical history** and a signed letter from their registered GP and/or relevant medical specialist. All costs in obtaining this exemption shall be borne by the licensed driver.
- 5.27 An application for the exemption to carry an assistance dog must be made on the appropriate form and must be authorised and signed, as defined above. On receipt of this application, the Licensing Authority will subsequently instruct the applicant in writing as to the specific requirements so that it may fully consider the application.

5.28 If an application for exemption from the requirement to carry an assistance dog is successful, the Licensing Authority will issue to the driver a Notice of Exemption and 2 window stickers for the vehicle. The Exemption must be carried in the vehicle and the stickers displayed on each rear passenger window at all times. Failure to carry the Exemption Notice will invalidate the exemption and in all such cases, this will be considered as though there were no exemption in place and result in enforcement action being considered against such a driver.

## **6. Disclosure & Barring Service Disclosures (DBS) – (Formerly CRB)**

- 6.1 The Licensing Authority requires that all applicants and licensed drivers complete an enhanced DBS check on application and then every three years, as part of the renewal application process. The Licensing Authority shall at their discretion, accept an enhanced DBS check obtained for another employment position. However the enhanced DBS must be no older than 60 days when produced to the Licensing Authority for consideration.
- 6.2 Since March 2002, Hackney Carriage and Private Hire drivers have been listed as Regulated Occupations in the Rehabilitation Act 1974 (schedule 1, Part III). The effect of this in relation to Hackney Carriage and Private Hire drivers is to render the Rehabilitation of Offenders Act 1974 inapplicable. Therefore any caution and/or conviction, regardless of their age, will be taken into consideration by the Licensing Authority when assessing the suitability of a new or renewal application.
- 6.3 In addition to the 3 year DBS check covered under Para 6.1 above, the Licensing Authority shall require a five year background check for all new applicants. It is a requirement of the DBS that if an applicant has lived abroad for any period of time in the last five years or is from an (EEA) Member State or other country, then a Certificate of Good Conduct (or equivalent) authenticated and translated by the relevant embassy is required. The DBS website ([www.homeoffice.gov.uk/dbs](http://www.homeoffice.gov.uk/dbs)) provides information about obtaining these certificates, or similar documents from other countries.
- 6.4 Failure to inform the Licensing Authority within 5 working days of any convictions, cautions and fixed penalty notices during the licensing application and/or licensed period (i.e. once the licence is granted) may result in suspension or revocation of the driver licence. Similarly, where convictions, cautions or fixed penalty notices are notified, depending on the nature of the infraction, this may result in suspension or revocation of the driver licence.
- 6.5 The Licensing Authority may, where necessary, require licensed drivers to submit an additional enhanced DBS check at the licensed drivers cost. The Licensing Authority will not require this, unless it has good reason to do so – for example, the reasonable belief that the licensed driver has a criminal conviction not notified to the Licensing Authority. Failure to provide this additional enhanced DBS check may result in the licence being immediately suspended or revoked.

6.6 All applicants for the grant/renewal of a licence requiring an enhanced DBS check, or by request during the licence period, as set out in Para 6.5 above, shall be responsible for the costs of obtaining the enhanced DBS check.

## **7. Relevance of Convictions, Cautions, Fixed Penalties and other relevant information**

7.1 The Licensing Authority when considering convictions and cautions recorded against an applicant or an existing licensed driver will have regard to the “Convictions & Cautions Policy” set out in **Appendix A**.

7.2 In assessing whether an applicant or licensed driver is a “fit and proper” person to hold a licence, the Licensing Authority will consider each case on its own merit.

7.3 Upon receipt of the enhanced DBS check, the Licensing Authority will assess whether any or all of the convictions and/or cautions are capable of having real relevance to the issue of whether or not the applicant or licensed driver is a fit and proper person to hold a licence. The Licensing Authority will also take into account any fixed penalty notices and other information, but only insofar as they are relevant to an application for a licence or impact on the continuance of an existing driver licence. In certain cases, the matter may be referred to the Council’s Licensing Committee for determination.

7.4 The Licensing Authority will have regard to fixed penalties when considering if an applicant is a fit and proper person. Failure to inform the Licensing Authority of any fixed penalty notices obtained during the application or licence period may result in possible rejection of the application or suspension or revocation of the licence.

7.5 In relation to cautions, the Licensing Authority will have regard to the nature of the infraction when considering their relevance to an application or continuance of an existing driver licence.

7.6 In relation to previous convictions, the Licensing Authority will have regard to the following:

- The nature of the offence/s;
- The age of the offence/s;
- The apparent seriousness, as gauged by the penalty applied.

7.7 In general terms, the more recent, serious and relevant the offence is, the less likely that an application will be granted or that an existing licence will be permitted to remain in effect.

## **8 Change of address**

8.1 The licensed driver shall, within 5 days, notify the Licensing Authority in writing, of any change of address or change of email address.

## **9 Grant and Renewal of Driver Licences**

### New Applications

- 9.1 The Licensing Authority issues a 3 year licence or part thereof to new applicants in accordance with Torbay Councils licensing year which currently runs from the 1<sup>st</sup> May to 30<sup>th</sup> April.
- 9.2 Other than in unforeseen or exceptional circumstances, as determined by the Licensing Authority, if any new application cannot be completed in full, within ~~six~~ 3 months, then it will be considered null and void. In such cases a refund will be issued, which will be equivalent to, the licence fee paid less any reasonable costs already incurred by the Licensing Authority. If the applicant wishes to carry on with a new application after this period, they will have to resubmit all the required information again and pay the full relevant fee.

### Renewal Applications

- 9.3 The Licensing Authority will issue a 3 year licence to existing licence drivers, upon receipt of a completed application, which will be issued for the period of 36 months commencing on 1<sup>st</sup> May.
- 9.4 Licences will only be issued when a new Disclosure and Barring Service check has also been undertaken.
- 9.5 A renewal application made after 30<sup>th</sup> April will be deemed as a lapse in licence and will result in the application being treated as a new application and not a renewal application. Therefore full application requirements will have to be satisfied and the applicant will not be permitted to operate a Hackney Carriage or Private Hire Vehicle until such time as the application process has been satisfactorily concluded and a new dual driver's licence issued.
- 9.6 If a renewal application is made and the Applicant does not meet the requisite criteria, the Licensing Authority will charge a fee to issue a refund in line with Torbay Councils fees and charges.
- 9.7 If an application is made to renew any licenses which expired on the 30<sup>th</sup> April and they are not collected or remain unpaid, then those licenses will be cancelled 7 calendar days following. Once cancelled this will be deemed as a lapse in licence and will result in a new application having to be made. Therefore full requirements will have to be satisfied.

## **10. Hackney Carriages and Private Hire Vehicles Byelaws**

- 10.1 The Licensing Authority has adopted a number of Byelaws under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 which all drivers must comply with depending on the type of licensed vehicle they are driving. Should it become necessary to enforce such a Byelaw, the Licensing Authority shall draw to the driver(s) attention where a specific byelaw is being breached and in an event of continuance of this breach, the Licensing Authority may initiate prosecution proceedings.

## **11. Driver Appearance**

- 11.1 Whilst working as a licensed driver within Torbay, the Licensing Authority requires a minimum standard of dress code and appearance, this shall apply to both new applicants and existing licensed drivers. The dress code can be found at **Appendix B**.

## **12. DVLA Licence Checking**

- 12.1 The Licensing Authority will, check the DVLA database every 6 months in order to establish a driver's complete driving history.
- 12.2 The Licensing Authority will request that upon making a new or renewal application, the applicant consents to the Licensing Authority being authorised to carry out a DVLA check. Such checks will be conducted as part of the application process and periodically, as deemed appropriate by the Licensing Authority. Whilst these checks are currently free to obtain, any future cost of the check will be borne by the applicant/licensed driver.
- 12.3 Should the necessary consent, as required in Para 12.2 above not be given by the applicant/licensed driver, this will result in the application being refused or the existing drivers licence being immediately suspended or revoked.

## **13 Conduct of Drivers**

- 13.1 All drivers are expected to act professionally and in an appropriate manner at all times and are required to adhere to the specified Code of Conduct at **Appendix B**.

## **14 Vehicles**

### Limitation of Vehicle Numbers

- 14.1 Current government guidance discourages any limitation of Hackney Carriage numbers, although it is permitted to limit such numbers provided that certain conditions are met. The Licensing Authority currently retains a quantity restriction regarding the number of Hackney Carriages licensed by Torbay Council. This has been the case for many years and is supported by results from an unmet demand survey. This survey is carried out approximately every 3 years.

### Specification and Conditions

- 14.2 The Licensing Authority has a wide discretion over the types of vehicles it licenses as Hackney Carriages or Private Hire vehicles. In general, vehicles will be licensed in accordance with the manufacturer's design except in circumstances where the Licensing Authority deems the manufacture's design to be unsuitable for use as a Hackney Carriage or Private Hire Vehicle, whether due to size of vehicle, engine size, or other reason.

- 14.3 The Licensing Authority has a Policy which sets out the minimum standards of vehicle specification, which apply in respect of all licensed vehicle applications. The vehicle specification and conditions are set out at **Appendix D**.
- 14.4 It is the responsibility of any applicant that applies for a vehicle licence to ensure that the vehicle meets the criteria as set out in **Appendix D**. Vehicles not meeting the minimum specifications will not be licensed and the Licensing Authority takes no responsibility in such cases. Applicants are therefore, strongly advised to check with the Licensing Authority prior to purchase or lease of a vehicle.
- 14.5 The Licensing Authority has set an age Policy, with regards to the licensing of vehicles which is subject to satisfactorily passing a 'vehicle compliance test'.
- 14.6 The age of a vehicle is taken from the date of the first registration in the vehicle registration document and applies to both Hackney Carriage and Private Hire Vehicles. The details of the vehicle age Policy are:

<b>Application Type</b>	<b>Maximum Age of Vehicle</b>
Initial (first) Application (all vehicle types)	<b>4 Years AND Less than 50,000 miles</b>
Renewal Application (for vehicles already licensed)	<b>Up to 10 Years</b>

- 14.7 Once licensed, vehicles which are deemed to be in exceptional condition at the end of the maximum age limit can apply to the Licensing Authority for an annual extension. The Licensing Committee will determine whether the vehicle is suitable for an extension, however all applications must be made 6 months prior to the expiration of the annual licence.
- 14.8 The Licensing Authority has adopted a Policy for the licensing of limousines. The Policy is provided at **Appendix E**.
- 14.9 The Licensing Authority would consider applications for 'novelty vehicles', which may be considered on a strictly Private Hire basis but this would need to be considered separately by a Licensing Sub-Committee. It should be noted that the Licensing Authority has a restricted Policy on numbers of Hackney Carriages at this time.
- 14.10 The Licensing Authority is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a Hackney Carriage or Private Hire vehicle licence by virtue of the Local Government (Miscellaneous Provisions) Act 1976.

#### Vehicle Damage/Accident

- 14.11 The proprietor of any Hackney Carriage or Private Hire vehicle must report to the Licensing Authority, within seventy two hours, the occurrence of any accident involving the Hackney Carriage or Private Hire vehicle.

- 14.12 The vehicle will be inspected by an Authorised Officer and a decision made as to whether or not the vehicle is in such condition to continue in service.
- 14.13 If any damage to the vehicle is such that the Authorised Officer considers it to be in a safe condition to continue in service, the vehicle shall be permitted to remain in continued service but the identified repairs must be undertaken within a maximum of 28 days of the damage occurring. Failure to do so may result in the vehicle licence being suspended until such time that the permanent repairs have been undertaken.
- 14.14 If any damage is considered by an Authorised Officer to be extensive enough to affect the safety or general appearance of the vehicle, the vehicle plate shall be removed and the proprietor of that vehicle shall immediately remove the vehicle from service. The vehicle must be repaired and may be required to undergo a full vehicle examination at the/an approved testing station, as authorised for the purpose of such inspection(s) by the Licensing Authority, before the plate is re-affixed and the vehicle returned to service. Such inspection will be at the expense of the vehicle proprietor.
- 14.15 In the case of any dispute in respect of the requirement in Para's 14.11-14.14 above, the Licensing Authority will request that the vehicle be taken to a nominated testing station for examination by a qualified mechanic and the cost of this examination will be borne by the licence holder. The Licensing Authority shall take the findings of the repairs identified by the qualified mechanic, as necessary before the vehicle is permitted to continue in service. The appropriate fee for such examination will be paid by the proprietor. If the proprietor fails to take the vehicle to the nominated testing station, then the vehicle licence will be suspended immediately. This suspension will only be lifted by the Licensing Authority once the nominated testing station carries out an examination of the vehicle and passes it fit to continue in service.

### Accessibility

- 14.16 The Licensing Authority is committed to ensuring that a wide variety of opportunities are available to disabled persons, as regards to access to transport and to ensure disabled people are not discriminated against or treated less favourably.
- 14.17 The Licensing Authority is mindful that different accessibility considerations apply in relation to Hackney Carriages and Private Hire vehicles. As regards to Hackney Carriage vehicles, the Licensing Authority considers it important that a disabled person should be able to hire a 'taxi' on the spot with minimum delay or inconvenience - therefore, having accessible vehicles available helps to make this achievable.
- 14.18 The Licensing Authority in acknowledging the Equality Act 2010 wishes to make drivers of Hackney Carriages and Private Hire vehicles aware that certain duties are due to be placed upon those whom operate wheelchair accessible vehicles. The duties will apply to the driver of any wheelchair accessible vehicle which is on the Authority's list of "Designated Vehicles".

The duties are as follows:

- to carry the passenger whilst in a wheelchair
- not to make any additional charge for doing so
- if the passenger chooses to sit in a passenger seat, to have capacity to carry the wheelchair also
- to take such steps as are necessary to ensure that the passenger is carried in safe and reasonable comfort; and
- to give the passenger such mobility assistance, as is reasonably required.
- the driver must also offer to load the passenger's luggage into and out of the vehicle.

14.19 Drivers who suffer from a disability or a condition which would make it difficult for them to provide physical assistance, can apply to the Licensing Authority for an exemption notice to exempt them from these duties. Applicants/licensed drivers should ensure that the G.P practice where they are registered can undertake a medical assessment and complete an Exemption Application Form. This Form will then need to be produced to the Licensing Authority before a final decision can be determined on whether to issue the driver with an official Notice of Exemption.

14.20 If an application for exemption from duties is successful, the Licensing Authority will issue to the driver a Notice of Exemption. This Notice must be carried in the vehicle at all times. Failure to carry the Notice in the prescribed manner, will render the exemption void, the licensed driver will be considered not to have held an exemption and may therefore, be subject to enforcement action, which may include initiating prosecution proceedings.

Duty to Carry Assistance Dogs

14.21 Licensed drivers are under a duty to carry, free of charge, any guide, hearing and other assistance dogs travelling with a disabled person. Since 31 March 2004, a similar duty has applied to the drivers of licensed Private Hire vehicles. In addition, Private Hire vehicle operators will be under a duty to accept a booking made by, or on behalf of a disabled person and shall not be permitted to make an additional charge for carrying an assistance dog. Any driver (aside from those holding a Notice of Exemption), who fails to comply with this duty, could be prosecuted and may be liable to a fine not exceeding Level 3.

14.22 If it is brought to the attention of the Licensing Authority, by way of a complaint or any other method, that a driver breaches the duty which is outlined in Paragraphs 14.21 and 14.22 above, the Licensing Authority may, in addition to any prosecution, seek to suspend or revoke the drivers licence.

Vehicle Compliance Testing

14.23 Any Hackney Carriage or Private Hire vehicle being first presented for licensing, must be no older than 4 years (taken from date of first registration) and must not have more than 50,000 miles showing on the odometer. Any such vehicle shall be required to be presented for licensing with a valid MOT certificate in all cases where the vehicle is 12 months or more past the date of first registration.

In addition, **effective from 1<sup>st</sup> May 2019**, the vehicle must be presented for testing at the/a Licensing Authority approved vehicle testing station and will only be licensed once it has satisfactorily passed a vehicle compliance test. The compliance test will be at the expense of the proprietor.

- 14.24 Any Hackney Carriage or Private Hire vehicle being presented for renewal of the vehicle licence must be no older than 9 years from date of first registration and will be permitted to remain licensed up to a maximum age of 10 years. Once a vehicle reaches 10 years of age from the date of first registration, it will be required to be replaced.
- 14.25 All vehicles presented for renewal must hold a valid MOT certificate. In addition, **effective from 1<sup>st</sup> May 2019**, the vehicle will be required to be presented for testing at the/a Licensing Authority approved vehicle testing station and will only be renewed once it has satisfactorily passed a vehicle compliance test. The compliance test will be at the expense of the proprietor.
- 14.26 In the case of a vehicle that has reached 8 years or more from the date of first registration, **effective from 1<sup>st</sup> May 2019**, there will be a further requirement that it be presented to the/a Licensing Authority approved vehicle testing station for a further compliance test 6 months after the date that the renewal licence was issued. This test will be at the expense of the proprietor.
- 14.27 The Licensing Authority may request, at any time when there is doubt as to the suitability or condition of a licensed vehicle, that the vehicle licence holder takes the vehicle to the/a approved testing station, as determined by the Licensing Authority, for a vehicle inspection. The costs associated with the inspection, will be met by the proprietor.
- 14.28 In all cases, **from the commencement date of 1<sup>st</sup> May 2019**, the Licensing Authority's approved vehicle testing station(s) will conduct vehicle compliance tests in accordance with the specifications set by the Licensing Authority, as amended from time to time. If at any time a vehicle fails the vehicle compliance test, then the vehicle will be immediately suspended until necessary works are completed and the vehicle test is passed.

If the vehicle is unrepairable whether due to reasons that are mechanical, aesthetic e.g. bodywork, or inability to comply with this Policy or a related licence condition, the licence for the vehicle will be revoked/refused forthwith.

- 14.29 ~~Failure to present the vehicle for inspection will result in the vehicle licence being immediately suspended.~~

**Failure to present the vehicle for inspection by the due inspection date, will result in the vehicle licence being immediately suspended until such time as the inspection has been undertaken, a satisfactory pass certificate presented to the Licensing Authority and written confirmation that the suspension has been lifted is received from the Licensing Authority.**

### Mechanical Breakdown

- 14.30 If any vehicle becomes unfit to complete a hiring during a journey, the driver shall be entitled to demand the fare for the distance already travelled.

- 14.31 The driver shall secure alternative transport without delay to complete the journey if the hirer so wishes. If the original vehicle is repaired and completes the hiring the driver shall be entitled to the full fare with the exception of any time that the hirer waited for the repair to be executed.
- 14.32 Any such incident must be reported to the Licensing Authority within five working days.

### Signage & Advertising

- 14.33 The Licensing Authority recognises that Hackney Carriage and Private Hire vehicles must be clearly distinguishable to allow the public to identify them from other vehicles and also from each other. In order to achieve this, the Licensing Authority has adopted conditions setting out the acceptable types of signage for both vehicle types. The conditions are provided at **Appendix F**.
- 14.34 The Licensing Authority shall permit advertising on Hackney Carriage vehicles. However any such advertisements must be approved by the Licensing Authority in advance of the vehicle undergoing any such modification. Advertising requests must be made in writing to the Licensing Department for approval, enclosing copies of the intended advertisement.
- 14.35 If any advertisement appears on any Hackney Carriage vehicle prior to seeking consent and subsequent written agreement from the Licensing Authority, the proprietor may be instructed to remove the advertising from the vehicle. In addition, the vehicle licence may be suspended pending consideration of a retrospective application or removal of the advertising, as applies in each individual case.
- 14.36 Under no circumstances except for company/operator information (rear doors only) will a Private Hire vehicle be permitted advertising.
- 14.37 All Hackney Carriage and Private Hire vehicles must display within the vehicle, in a prominent position a Notice, to be supplied by the Licensing Authority, advising customers what to do in the event of making a complaint
- 14.38 All exterior and interior signs supplied by the Licensing Authority must be kept in good order and must not be de-faced. Any sign which fails to meet this condition, must be replaced immediately and the cost of replacing these signs shall be borne by the licence holder.

### Door Signs

- 14.39 A licensed Hackney Carriage or Private Hire vehicle may only be operated by the holder of a Torbay Council dual Hackney Carriage and Private Hire drivers' licence. The affixing permanently of door signs provides clarity and confidence for the public by ensuring that the vehicle is identifiable as a licensed vehicle at all times.
- 14.40 **With effect from 1<sup>st</sup> May 2019**, all Private Hire vehicles shall be fitted with Licensing Authority door signs, which must be affixed to the front doors of the vehicle and must be by way of vinyl stickers and not be magnetic. The door sign

will contain Torbay Council identification, the licence number of the vehicle and a statement to the effect of “Private Hire Vehicle - Pre Booked Fares Only”.

- 14.41 **With effect from 1<sup>st</sup> may 2019**, all Hackney Carriage vehicles shall be fitted with Licensing Authority door signs, which must be affixed to the front doors of the vehicle and must be by way of vinyl stickers and not be magnetic. The door sign will contain Torbay Council identification, the licence number of the vehicle and a statement to the effect of “Licensed Hackney Carriage Vehicle”.
- 14.42 If a licensed driver is witnessed by an Officer of the Licensing Authority driving a licensed vehicle without the use of Licensing Authority approved door signs being attached to that vehicle, the vehicle licence will be immediately suspended until the door signs are in place. If the same vehicle is found to repeat this conduct within a 6 month period of any such warning this may result in a report being submitted to Licensing Committee for consideration as to suspension or, in repeated cases, revocation of the vehicle and/or Torbay drivers’ licence.
- 14.43 **If a Private Hire vehicle is used solely for the purpose of executive and/or corporate and/or airport/port work, the proprietor may apply to the Licensing Authority for an exemption from being fitted with door signs, however, the vehicle must at all times remain fitted with the appropriate vehicle licence plate.**
- 14.44 **In cases where an exemption is sought, application should be made in writing to the Licensing Authority, outlining the reasons for the request and providing details of the nature of work undertaken in that vehicle. Exemption will only apply once the request has been fully determined and written confirmation has been received from the Licensing Authority.**
- 14.45 **A vehicle exemption will only be valid, if the letter of authorisation is carried in the vehicle at all times and is capable of being produced to any authorised officer upon request. Any failure to produce the letter of authorisation would be considered a breach of licence condition and may result in disciplinary action, which may include being referred to Licensing Committee, suspension of the vehicle licence and/or immediate revocation of the exemption given in respect of that vehicle.**

#### Tinted Windows

- 14.46 The Licensing Authority will not issue a licence to a vehicle which has tinted windows that were not in place at the time of manufacture. The manufacture of such windows must be compliant with VOSA regulations.

#### Security and Closed Circuit Television (CCTV)

- 14.47 The Department of Transport (DoT) Best Practice Guidance, recommends licensing authorities look sympathetically on the installation of security measures, such as, a screen between driver and passengers or CCTV systems as a means of providing some protection for vehicle drivers.
- 14.48 This Licensing Authority will not require enhanced security or CCTV measures in vehicles as it is considered that they are best left to the judgement of the proprietors and drivers themselves. The Hackney Carriage and Private Hire

vehicle trades are, however, encouraged to build good links with the local police force, including participation in any crime and disorder reduction partnerships.

- 14.49 If CCTV facilities are installed in a licensed vehicle, the proprietor will be responsible for ensuring the system conforms to the Licensing Authority's specification, the Data Protection Act 1998 and other relevant legislation. The necessary informative notice for passengers must also be displayed (see separate conditions for CCTV as attached at **Appendix I**)

#### Livery (Colour)

- 14.50 The Licensing Authority has a livery (colour) Policy, which comes into effect on **2 November 2018** and is outlined in **Appendix D**.
- 14.51 This livery policy will be implemented as any vehicle is added to either the Hackney Carriage or Private Hire Fleets for the first time after the date determined in Para 14.50. A vehicle will not be licensed unless it meets the requirements of the policy set out in **Appendix D**.
- 14.52 Any licensed vehicle that fails to comply with the livery policy, once it applies to that vehicle will be immediately suspended and subsequently not renewed unless or until the requirements of the livery policy have been complied with.

#### Seating in Multi-Passenger Vehicles

- 14.53 The Licensing Authority will licence vehicles for seating arrangements of up to eight passengers, where all the Licensing Authority's licensing requirements are satisfied.
- 14.54 All seating arrangements will be considered in relation to safety requirements prior to any licence being issued. It should NOT be assumed that permission will automatically be granted and it is the responsibility of the proprietor of the vehicle to ensure that any vehicle is compliant with the Policy at **Appendix D**, prior to obtaining the vehicle. The Licensing Authority will assume no responsibility for any vehicle purchased that cannot be issued a licence due to non-compliance with the vehicle specifications. If in any doubt applicants are advised to contact the Licensing Authority in advance of making any purchase, prior to making an application.

#### Smoking, Vaping and E-Cigarettes

- 14.55 Smoking is prohibited in all Hackney Carriage and Private Hire vehicles at all times, irrespective of whether or not the vehicle is available for hire. No smoking signs shall be displayed at all times within the vehicle.
- 14.56 Torbay Council also prohibits the use of E or vapour cigarettes by drivers or passengers in licensed vehicles at all times, irrespective of whether or not the vehicle is available for hire.
- 14.57 A driver found smoking, using E/Vapour cigarettes or permitting these to take place in a licensed vehicle, will be subject to enforcement action by either the Licensing Authority or other authorised Officers of the Council. The penalties for

smoking or using E/Vapour cigarettes may include prosecution and/or suspension or revocation of the Torbay dual driver's licence.

### Taxi Rank Provision

14.58 The ranks currently in operation within Torbay are detailed at **Appendix G**. It should be noted that where written requests for additional rank space is made, the Licensing Authority will consider the existing provision and liaise with the Council's Highways department. The responsibility to instigate formal consultation and rank works lies with the Council's Highways Department.

## **15. Grant and Renewal of Vehicle Licences**

15.1 The Licensing Authority will consider all applications for vehicle licences on their own merits.

15.2 The Licensing Authority will, providing that all the Licensing Authority's requirements are met; issue a 12-month licence which will run from 1<sup>st</sup> May to 30<sup>th</sup> April.

15.3 All vehicles presented for licensing for the first time shall be subject to a vehicle compliance test.

15.4 All vehicles presented for licensing for the first time shall be under 4 years old and have a current mileage of less than 50,000 miles.

15.5 Vehicles **aged between 0 and 8 years** will be issued with an annual licence which will run from 1<sup>st</sup> May to 30<sup>th</sup> April. An MOT (not more than 90 days old), the registration document and a valid insurance certificate or cover note (faxed copies will not be accepted) must be produced before the grant of the vehicle licence.

15.6 In addition to the above, vehicles aged between 0 and 8 years will be required as a condition of licence, to undergo a vehicle inspection at the/a Council approved testing station, on one occasion, approximately 6 months from the date of being issued with a licence.

15.7 Vehicles **aged between 8 and 10 years** will be issued with an annual licence which will run from 1<sup>st</sup> May to 30<sup>th</sup> April. An MOT (not more than 90 days old), the registration document and a valid insurance certificate or cover note (faxed copies will not be accepted) must be produced to the Licensing Authority before the Licensing Authority will grant a vehicle licence.

15.8 In addition to the above, vehicles aged between 8 and 10 years will be required, as a condition of licence, to undergo a vehicle inspection at the/a Licensing Authority's approved testing station on two occasions, both at time of renewal and again approximately 6 months after the date of renewal.

15.9 Applicants should also be aware that if a licence has not been issued at the point when an existing licence expires (due to incomplete paperwork provided to the Licensing Authority), the licence holder must cease using that vehicle until a complete application has been received and determined.

- 15.10 It should be noted that once the date of expiry of an existing licence has passed and a valid application for renewal (i.e. a complete application, including the appropriate fee) has not been received, the licence will automatically expire. Where this occurs, the applicant will be required to submit a new application and the vehicle will be deemed to be a new vehicle. Therefore, the vehicle must meet all the requirements of this type of application. In addition, the expired vehicle licence plate must be returned to the Licensing Authority within seven days of expiry.
- 15.11 Where the Applicant has made an application for the grant or renewal of a vehicle licence, the Applicant must declare and supply information in relation to the insurance and MOT of that vehicle. If at any point during the term of the licence it is found that insurance and/or the MOT is not in place or lapsed, the Licensing Authority will suspend the vehicle licence immediately until a valid insurance document and/or the MOT is submitted to the Licensing Authority. The Licensing Authority may decide to take the matter further upon investigation, which may include revocation of that licence.
- 15.12 If an application is made and the vehicle does not meet the requisite criteria, the Licensing Authority will charge a fee to issue a refund in line with Torbay Councils fees and charges.

#### Replacement Vehicles

- 15.13 A vehicle licence is issued to a specific vehicle, therefore, at the point where the licence expires, the licence ceases to exist and any new vehicle would be subject to the requirements of a new vehicle licence application.
- 15.14 To assist vehicle proprietors who wish to be able to change vehicles during the period of an existing licence, the Licensing Authority operates a 'replacement vehicle Policy'. This will enable the existing licence to remain in place; however, the 'replacement' vehicle will have to meet the Licensing Authority's vehicle specification and livery requirements as set out in **Appendix D**.

#### **16. Private Hire Operators**

- 16.1 Any person who makes provisions for the invitation for acceptance of bookings for a Private Hire vehicle or a Private Hire service, must do so under the provision of a valid Private Hire operator licence issued by this Licensing Authority.
- 16.2 The owner/proprietor of a Private Hire vehicle may accept their own bookings under provision of their own operator's licence or, they may work for a recognised company that holds a company operator's licence that permits them to accept bookings for multiple vehicles, issued by this Licensing Authority.
- 16.3 It is an offence for any licensed driver or Private Hire vehicle proprietor to accept a booking directly unless they hold their own operator's licence issued by Torbay Council.

## Conditions

- 16.4 The Licensing Authority has power to impose conditions on a Private Hire operators' licence, as it considers reasonably necessary to do so.
- 16.5 The Licensing Authority considers that the conditions set out in **Appendix C** of this Policy meet the necessary criteria when granting a private operator's licence. As such, these conditions will be attached to all Private Hire operator licences unless at the application stage, evidence is submitted by the applicant which provides sound evidential reasoning for not doing so.

## **17. Grant and Renewal of Operator Licences**

- 17.1 The Licensing Authority will consider all applications for operator licences on its own merits.
- 17.2 The Licensing Authority issues 5 yearly licences or part thereof for Private Hire operators which run from the 1<sup>st</sup> May, these are priced in bands according to the number of vehicles that an individual, partnership or company may wish to operate.
- 17.3 If an application is made and the Applicant does not meet the requisite criteria, the Licensing Authority will charge a fee to issue a refund in line with Torbay Councils fees and charges.

### The applicant for a Private Hire operator's licence shall be required:-

- 17.4 To show that the premises from which it is intended to conduct business is free from any encumbrances or restrictions for such use, and to provide the name and address of the owner of the premises.
- 17.5 To provide all necessary washing, toilet and rest room facilities for persons conducting business from the premises as required by the Health and Safety at Work legislation.
- 17.6 If waiting facilities are available for intended passengers, to provide sufficient and proper seating for those persons.

## **18. Disciplinary and Enforcement Measures**

- 18.1 The Licensing Authority recognises that well-directed enforcement activity not only benefits the public but also responsible members of the Hackney Carriage and Private Hire trades.
- 18.2 The Licensing Authority will follow the principles laid out in the Regulator's Code and any recommendations from the Local Better Regulation Office. Copies can be found at [www.lbro.org.uk/](http://www.lbro.org.uk/)
- 18.3 The Licensing Authority shall take enforcement action where it considers it necessary and proportionate to do so. In doing so, it will have regard to the licensing objectives stated within this Policy. Enforcement will be risk-based,

intelligence-led and targeted and managed in line with the Licensing Authority's Enforcement Policy.

- 18.4 A record of any enforcement and/or disciplinary action taken by the Licensing Authority or Local Authority, whether formal or informal, will be recorded on the licence holder's file. Such evidence of this, may be brought to the attention of the Licensing Committee, Sub-Committee or the Court, if further action is deemed necessary.

## **19. Fares**

- 19.1 On receipt of a request for consideration of an increase in Hackney Carriage fares, the Licensing Authority will follow the procedure set out in **Appendix H** of this Policy.
- 19.2 A fares tariff is enforceable as a byelaw and it is an offence for any person to charge more than the metered fare.
- 19.3 The current tariff card must be prominently displayed to customers inside the Hackney Carriage vehicle, at all times.
- 19.4 The setting of fares for Hackney Carriages is a function of the Council's Licensing Committee.
- 19.5 The Licensing Authority may not set fares for Private Hire, as these are set and advertised at the discretion of individual Private Hire vehicle operator, as in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

## **20. Meters**

- 20.1 The Licensing Authority requires that meters to calculate fares must be calendar clocked, accurate and displaying the correct time and capable of displaying the various tariffs, as approved by the Licensing Authority. This shall include any extra charges which are payable under the approved Table of Fares.
- 20.2 The meter must be calibrated and set to the Licensing Authority agreed charging distances and tariffs currently in force.
- 20.3 Meters will be checked by the Licensing Authority from time to time, to ensure that they are accurate, to that of a metered mile distance or by waiting time.
- 20.4 Meters must be positioned in order that the fare must be clearly displayed to the passenger throughout the journey.
- 20.5 Meters in operation must not facilitate fraudulent use. Any signs of the tampering included in the breaking of seals will result in immediate action being taken by the Licensing Authority to suspend the licence pertaining to the vehicle in question. Where a licence is suspended, the vehicle proprietor shall return the licence plate to the Licensing Authority immediately. The Licensing Authority will

then consider what further action, if any, to take against the driver or vehicle operator in question. Such action may result in the revocation of either or all the driver, operators or vehicle proprietors licence.

## **21. RIGHTS OF APPEAL**

The following rights of appeal are to be found in Local Government (Miscellaneous Provisions) Act 1976 (LG(MP)A1976):

- 21.1 Appeal against conditions imposed on a Hackney Carriage proprietor's licence (LG(MP)A 1976, s 47).
- 21.2 Appeal against refusal to grant a Private Hire vehicle licence, or conditions imposed on such a licence (LG(MP)A 1976, s 48)
- 21.3 Appeal against refusal to grant a Private Hire driver's licence, or conditions imposed on such a licence (LG(MP)A 1976, s 52)
- 21.4 Appeal against refusal to grant a Private Hire operator's licence, or conditions imposed on such a licence (LG(MP)A 1976, s 55)
- 21.5 Appeal against refusal to grant a Hackney Carriage driver's licence (LG(MP)A 1976, s 59)
- 21.6 Appeal against suspension, revocation or refusal to renew a Hackney Carriage or Private Hire vehicle licence, or conditions imposed on such a licence (LG(MP)A 1976, s60)
- 21.7 Appeal against suspension, revocation or refusal to renew a Hackney Carriage or Private Hire driver's licence (LG(MP)A 1976, s61)
- 21.8 Appeal against suspension, revocation or refusal to renew a Private Hire operator's licence (LG(MP)A 1976, s62)

**Local Government (Miscellaneous Provisions) Act 1976 s 77 states:**

**'Appeals:**

77-(1) sections 300 TO 302 of the Act of 1936, which relates to appeals shall have effect as if this Part of this Act were part of that Act.

(2) If any requirement, refusal or other decision of a district council against which a right of appeal is conferred by this Act-

(a) involves the execution of any work or the taking of any action; or

(b) makes it unlawful for any person to carry on a business which he was lawfully carrying on up until the time for appealing has expired, or, when an appeal is lodged, until the appeal is disposed of or withdrawn or fails for want of prosecution-

- (i) No proceedings shall be taken in respect of any failure to execute the work, or take the action; and

(ii) That person may carry on that business.

(3) Subsection (2) of this section does not apply in relation to a decision under subsection (1) of section 61 of this Act which has immediate effect in accordance with subsection (2B) of that section'

In general, the effect of LG(MP)A 1976 s 77(2) is to stay any action pending the determination of an appeal. However there is an exception in relation to Hackney Carriage and Private Hire driver's licence, when the local authority has decided that the licence should be suspended or revoked with immediate effect in the interest of public safety

The appeal period is 21 days from the date on which 'notice of the local authority's requirement, refusal or other decision was served on the person desiring to appeal

**An appeal must be made to:**

South and West Devon Magistrates' Court, c/o Torquay & Newton Abbot County Court, Nicolson Road, Torquay. TQ2 7AZ

## APPENDIX A

**Policy for determining the relevancy of criminal convictions, cautions, reprimands and warnings in relation to Hackney Carriage or Private Hire Driver Licences**



### **Taxi and PHV Licensing Criminal Convictions' Policy**

#### **1 General Policy**

- 1.1 Each case will be decided on its own merits.
- 1.2 The Licensing Authority has a duty to ensure, so far as possible, that applicants are 'fit and proper' persons to hold licences and in the absence of a judicially approved definition of "fit and proper". The Licensing Authority will consider this Criminal Convictions Policy as part of its assessment of applicants and licence holders.

- 1.3 In assessing the various information gleaned in relation to the 'fit and proper' status of an applicant or licence holder, the Licensing Authority will apply the following test:

*Would the Officer charged with the ability to grant a licence allow their son or daughter, spouse or partner, mother or father, grandson or granddaughter, or any other person for whom they care, to get into a licensed vehicle with the applicant alone?*

The wording of this test originates from Button, J. T. H. (1999), *Taxis – Licensing Law and Practice*, Butterworths, London.

- 1.4 The overriding consideration is the safety of the public. The Licensing Authority has a duty to ensure so far as possible that those licensed to drive Hackney Carriage and Private Hire vehicles are suitable persons to do so, that they are safe drivers with good driving records and adequate experience, sober, courteous, mentally and physically fit. An aspect of this is the extent to which previous convictions, including but not limited to convictions of dishonesty, sexual offences, traffic offences, violence and drugs, indicate that a person is not a 'fit and proper' person and would not take advantage of passengers or abuse or assault them.

- 1.5 Simply remaining free from convictions will not generally be regarded as sufficient evidence that a person is a 'fit and proper' person to hold a licence. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public. The following examples afford a general guide on the actions to be taken where convictions are admitted or discovered.

## **2 Dishonesty**

- 2.1 It is essential for the public to have trust in Hackney Carriage and Private Hire drivers. The practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers and operators. However, there is scope for a dishonest driver to defraud a passenger by demanding more than the legal or agreed fare or by taking a longer route to a destination. Tourists and overseas visitors are particularly at risk from an unscrupulous driver. For this reason, the Licensing Authority will take a serious view of any offences involving dishonesty. The Licensing Authority will not normally consider an application until a period of at least three years free from convictions has elapsed. More than one conviction for this type of offence within the last five years will raise serious doubts about the applicant's fitness to hold a licence. In such cases, the Licensing Authority may reject the application.
- 2.2 In the case of a licensed driver being convicted of an offence involving dishonesty the Licensing Authority may suspend, revoke or refuse to renew the licence. If a licence is revoked, no further application will be considered until a period of at least three years free from the date of conviction of this type has elapsed.
- 2.3 Offences of Dishonesty include:
- Theft
  - Burglary
  - Fraud including benefit fraud
  - Handling or receiving stolen goods
  - Forgery
  - Conspiracy to defraud
  - Obtaining money or property by deception
  - Other deception
  - Any similar offences of dishonesty where the conviction is less than three years prior to the date of application

## **3 Violence**

- 3.1 The Licensing Authority will take a serious view of any applicant convicted of an offence involving violence. A licence will not normally be granted if an applicant has more than one conviction in the last 10 years for an offence of a violent nature.
- 3.2 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:

- Murder
- Manslaughter
- Manslaughter or culpable homicide while driving
- Arson with intent to endanger life
- Terrorism offences
- Or any similar offences (including attempted or conspiracy to commit offences) which replace the above

3.3 In the case of a licensed driver being convicted of any of the above offences, unless there are exceptional circumstances, the Licensing Authority will immediately revoke the licence.

3.4 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) that replace the offences below and the conviction is less than 10 years old prior to the date of application:

- Arson, with intent to endanger life
- Malicious wounding or grievous bodily harm which is racially aggravated
- Actual bodily harm which is racially aggravated
- Grievous bodily harm with intent
- Robbery
- Possession of firearm
- Riot
- Assault on Police
- Racially aggravated offences
- Violent disorder
- Resisting arrest
- Or any similar offences (including attempted or conspiracy to commit offences), which replace the above

3.5 In the case of a licensed driver being convicted of any of the above offences, the Licensing Authority may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 10 years free from the date of conviction has elapsed.

3.6 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s), which replace the offences below and the conviction, is less than 5 years old prior to the date of application:

- Assault occasioning actual bodily harm
- Common assault
- Affray
- Criminal damage
- Harassment
- Or any similar offences (including attempted or conspiracy to commit offences), which replace the above

3.7 In the case of a licensed driver being convicted of any of the above offences, the Licensing Authority may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 5 years free from the date of conviction has elapsed.

3.8 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s), which replace the offences below and the conviction, is less than 3 years prior to the date of application:

- S.5 Public Order Act 1986 offence (harassment, alarm or distress)
- S.4 Public Order Act 1986 offence (fear of provocation of violence)
- S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- Possession of a weapon
- Obstruction
- Minor criminal damage
- Or any similar offences (including attempted or conspiracy to commit offences), which replace the above

3.9 In the case of a licensed driver convicted of any of the above offences, the Licensing Authority may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 3 years free from convictions of this type has elapsed.

## **4 Drugs**

4.1 The Licensing Authority will take a serious view of convictions for drug related offences. An application will normally be refused when an applicant has a conviction related to the supply of drugs and the conviction is less than five to ten years prior to the date of application. After five years have elapsed, consideration will be given if an applicant can provide evidence that they can be considered a 'fit and proper' person.

4.2 An application will generally be refused where the applicant has more than one conviction relating to the possession of drugs and the conviction is less than five years prior to the date of application.

4.3 An application from an applicant who has an isolated conviction for possession of drugs within the last three to five years will require serious consideration before a decision is made regarding their suitability.

4.4 The Licensing Authority will take a serious view of a licensed driver convicted of a drug related offence. An isolated incident will result in a strict warning about future conduct. More than one conviction for this type of offence in the last five years will raise serious doubts about the person's fitness to hold a licence. In such cases, the Licensing Authority may refuse to renew, suspend or revoke the licence or require a medical examination to be undertaken. If a licence is revoked, no further application will be considered until a period of at least five years free from convictions has elapsed.

## **5 Sexual and indecency offences**

5.1 Hackney Carriage and Private Hire drivers frequently carry unaccompanied and/or vulnerable passengers. The Licensing Authority will therefore take a serious view of any convictions for a sexual offence. Whilst all applications are

considered on individual merit. It is the Policy of this Authority not to grant an application if an applicant has a conviction for a sexual offence.

- 5.2 An application will normally be refused where the applicant has a conviction for an offence such as:
- Rape
  - Assault by penetration
  - Offences involving children or vulnerable adults
  - Or any similar offences (including attempted or conspiracy to commit offences) which replace the above
- 5.3 In the case of a licensed driver convicted of any of the above offences, unless there are exceptional circumstances, the Licensing Authority will immediately revoke the licence.
- 5.4 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s), which replace the offences below and the conviction, is less than 10 years prior to the date of application:
- Sexual assault
  - Indecent assault
  - Possession of indecent photographs, child pornography etc
  - Exploitation of prostitution
  - Trafficking for sexual exploitation
  - Or any similar offences (including attempted or conspiracy to commit offences), which replace the above
- 5.5 In the case of a licensed driver convicted of any of the above offences, the Licensing Authority may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 10 years free from convictions of this type has elapsed.
- 5.6 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s), which replace the offences below and the conviction, is less than 5 years prior to the date of application:
- Indecent exposure
  - Soliciting (kerb crawling)
  - Or any similar offences (including attempted or conspiracy to commit offences) which replace the above
- 5.7 In the case of a licensed driver convicted of any of the above offences, the Licensing Authority may suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least 5 years free from convictions of this type has elapsed.
- 5.8 Applications will be refused where the applicant remains on the Sex Offenders Register.

## **6 Alcohol and Drug Related Offences**

### **6.1 With motor vehicle:**

The Licensing Authority will take a serious view of an applicant convicted for driving or attempting to drive a vehicle with levels of drugs or alcohol in blood, breath or urine in excess of the permitted limit. A single conviction for any drug or alcohol related driving offence will normally preclude an application from being granted for a period of five years from the restoration of the DVLA driving licence.

6.2 More than one conviction for any drug or alcohol related driving offence represents an unacceptable risk to the public and an application will normally be refused.

6.3 If there is any suggestion that the applicant suffers clinical drug or alcohol dependence, the Licensing Authority may require a special medical examination to be undertaken. If the applicant is found to be suffering from clinical drug or alcohol dependence, an application will not be considered until a period of at least five years has elapsed after completion of treatment of the condition. The cost of any medical examination must be paid for by the applicant/licensed driver.

6.4 The Licensing Authority will take a serious view of a licensed driver convicted of driving or attempting to drive a vehicle either under the influence of drugs or with levels of alcohol in excess of the permitted limit as this will raise serious doubts about the person's fitness to hold a licence. In such cases, the Licensing Authority may suspend, revoke or refuse to renew the licence. If a licence is revoked, no further application will be considered until a period of at least five years free from convictions of this type has elapsed.

### **6.5 Without motor vehicle:**

An isolated incident will not necessarily prevent an applicant being granted a licence. However, a number of convictions for drug or alcohol related offences may indicate a medical problem. In such cases, the Licensing Authority may require a medical examination to be undertaken. The cost of any medical examination must be paid for by the applicant/licensed driver.

## **7 Minor traffic offences**

7.1 Convictions for minor traffic offences will not prevent a person from being considered for a licence. If a new applicant has six live penalty points on their driving licence for such offences then the application may be granted subject to a strong written warning. If an applicant has more than six penalty points on their licence then the application will normally be refused and no further application will be considered until a period of at least 12 months free from convictions or fixed penalties of this type has elapsed.

7.2 In the case of a licensed driver accumulating nine or more penalty points the Licensing Authority may refuse to renew, suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at

least 12 months free from convictions of this type has elapsed. A list of minor traffic offences can be seen in table 1.

## **8 Major traffic offences**

- 8.1 If an applicant has live endorsements or has been disqualified from driving in respect of major traffic offences then the application will normally be refused until at least five years after the most recent such convictions.
- 8.2 In the case of a licensed driver being convicted of a serious road traffic accident, the Licensing Authority may suspend or revoke the licence or an application to renew the licence being refused. If a licence is revoked, no further application will be considered until a period of at least 5 years free from the date of conviction has elapsed.
- 8.3 A list of major traffic offences can be seen in table 2.

## **9 Offences by licensed drivers, proprietors or operators**

- 9.1 Any conviction which results from an offence committed by any person whilst carrying out their duties as a Hackney Carriage or Private Hire driver, proprietor or operator regarded as extremely serious may, lead to a licence being suspended or revoked or an application to renew the licence being refused.
- 9.2 More than one conviction, as outlined in Para 9.1 above, will lead to the drivers licence being revoked. This includes any offences against the Town Police Clauses Act 1847, The Local Government (Miscellaneous Provisions) Act 1976 or any breach of the conditions or byelaws made under the relevant legislation.
- 9.3 Convictions of any description committed by both Hackney Carriage proprietors, Private Hire drivers and operators during the duration of their licence must be declared to the Licensing Authority in writing immediately and in any case no later than 7 days.

## **10 Cautions and Endorsable Fixed Penalties**

- 10.1 For the purpose of these guidelines, endorsable fixed penalties shall be treated as though they were convictions.

## **11 Pending Investigation**

- 11.1 The Licensing Authority may, at their discretion suspend a drivers licence where it deems it appropriate to do so pending an investigation by either the Local Authority or the Police. This decision will only be taken where it is deemed necessary for the interest of Public Safety.

**Table 1: Minor traffic offences**

<b>Code</b>	<b>Offence</b>
CU10	Using vehicle with defective brakes
CU20	Causing or likely to cause danger by reason of use or unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
CU30	Using a vehicle with defective tyres
CU40	Using a vehicle with defective steering
CU50	Causing or likely to cause danger by reason of load or passengers
SP10	Exceeding goods vehicle speed limit
SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
SP30	Exceeding statutory speed limit on a public road
SP40	Exceeding passenger vehicle speed limit
SP50	Exceeding speed limit on a motorway
SP60	Exceeding speed limit offence
MS10	Leaving a vehicle in a dangerous position
MS20	Unlawful pillion riding
MS30	Play street offences
MS40	Driving with uncorrected defective eyesight or refusing to submit to a test
MS70	Driving with uncorrected defective eyesight
MS80	Refusing to submit to an eyesight test
MS90	Failure to give information as to identity of driver, etc.
MW10	Contravention of special road regulations (excluding speed limit)
PC10	Undefined contravention of pedestrian crossing regulations
PC20	Contravention of pedestrian crossing regulations with moving vehicle
PC30	Contravention of pedestrian crossing regulations with stationary vehicle
TS10	Failing to comply with traffic light signals
TS20	Failing to comply with double white lines
TS30	Failing to comply with a 'stop' sign
TS40	Failing to comply with direction of a constable or traffic warden
TS50	Failing to comply with traffic sign (excluding "stop" sign, traffic lights or double white lines)
TS60	Failing to comply with school crossing patrol sign
TS70	Undefined failure to comply with a traffic direction sign

**NOTE:** Includes: Aiding, abetting, counselling or procuring any of the offences as coded above. Causing or permitting any of the offences as coded above. Inciting any of the offences as coded above.

**Table 2: Major traffic offences**

<b>Code</b>	<b>Offence</b>
AC10	Failing to stop after an accident
AC20	Failing to give particulars or to report an accident within 24 hours
AC30	Undefined accident offences
BA10	Driving while disqualified by order of the court
BA30	Attempting to drive while disqualified by order of the court
CD10	Driving without due care and attention
CD20	Driving without reasonable consideration for other road users
CD30	Driving without due care and attention or without reasonable consideration for other road users
CD40	Causing death through careless driving when unfit through drink
CD50	Causing death through careless driving when unfit through drugs
CD60	Causing death through careless driving with alcohol above limit
CD70	Causing death by careless driving then failing to supply a specimen for analysis
CD71	Causing death by careless driving then failing to supply a specimen for drug analysis
DD40	Dangerous driving
DD60	Manslaughter or culpable homicide while driving a vehicle
DD80	Causing death by dangerous driving
DR10	Driving or attempting to drive with alcohol level above limit
DR20	Driving or attempting to drive while unfit through drink
DR30	Driving or attempting to drive then failing to supply a specimen for analysis
DR31	Driving or attempting to drive then failing to supply a specimen for drug analysis
DR40	In charge of a vehicle while alcohol level above limit
DR50	In charge of a vehicle while unfit through drink
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
DR61	Failure to supply drug specimen for analysis in circumstances driving or to drive
DR70	Failing to provide specimen for breath test
DR80	Driving or attempting to drive when unfit through drugs
DR90	In charge of a vehicle when unfit through drugs
IN10	Using a vehicle uninsured against third-party risks
LC20	Driving otherwise than in accordance with a licence
LC30	Driving after making a false declaration about fitness when applying for a licence
LC40	Driving a vehicle having failed to notify a disability
LC50	Driving after a licence has been revoked or refused on medical grounds
MS50	Motor racing on the highway
MS60	Offences not covered by other codes
UT50	Aggravated taking of a vehicle

**NOTE:** Includes: Aiding, abetting, counselling or procuring any of the offences as coded above. Causing or permitting any of the offences as coded above. Inciting any of the offences as coded above.

## APPENDIX B

### Driver Code of Conduct

#### Driver Code of Conduct

1. The driver **must** at all times, when driving a Hackney Carriage or Private Hire vehicle:
  - a) Wear their drivers badge around their neck ensuring that the photograph and licence details are clearly visible
  - b) Maintain a high standard of personal hygiene and appearance.
  - c) Behave in a civil and orderly manner towards all persons, including, but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers, police officers, licensing officers and elected Members of the Council
  - d) Be courteous to all passengers e.g. greeting passengers, assisting with bags, push chairs, wheelchairs etc
  - e) Take all reasonable steps to assist passengers when they are entering or alighting from the vehicle and convey them, subject to any restrictions given, to their destination by the shortest practicable route and to ensure their safety
  - f) When requested to do so by a passenger, convey a reasonable amount of luggage and afford reasonable assistance in the loading and unloading of any luggage
  - g) Be punctual and on time for bookings, unless delayed or prevented from doing so by some reasonable cause that is beyond the drivers control.
2. The driver **must not**, at any time, when driving a Hackney Carriage or Private Hire vehicle:
  - a) Use offensive, racist, abusive, profane or insulting language or behaviour
  - b) Smoke or permit passengers to smoke in their vehicle (this includes the use of electronic cigarettes and vaporisers)
  - c) Use a hand held mobile phone whilst driving
  - d) Without the express permission of the hirer, eat or drink in the vehicle and only then in all cases whilst the vehicle is completely stationary
  - e) Cause or permit sound emitted from any radio or sound reproducing instrument or equipment in the vehicle to be an annoyance or nuisance to any person, whether they be inside or outside of the vehicle

- f) Sound their vehicle's horn to alert passengers as to the arrival of the vehicle
- g) Permit persons other than the hirer to be carried in the vehicle unless they have the full consent from the person hiring the vehicle
- h) Allow any person(s) to drive the vehicle unless they are authorised to do so by the proprietor, hold an appropriate Torbay Council dual drivers licence and are fully insured to do so
- i) Obstruct other drivers or vehicles from undertaking their normal hiring and driving activities
- j) Park, wait or leave a vehicle in a place/position that causes a nuisance or obstruction to other road users or to any member of the public. This would include, but is not restricted to;
  - Parking or waiting in designated resident only, disabled, or loading bays
  - Overhanging of Taxi ranks
  - Waiting/queuing on roundabouts, in box junctions (unless turning right) in bus stops or on yellow lines

### **Dress Code**

The Licensing Authority is committed to encouraging the professional image of the trade and it considers that drivers should conform to a minimum standard of dress, as set out below, in order to:

- Raise and maintain the profile of the licensed trade
- Promote confidence amongst members of public to ensure passengers feel comfortable when using licensed vehicles
- Promote public safety by ensuring the safe operation of licensed vehicles at all times and that licensing drivers are readily identifiable

### **Acceptable Standards of Dress:**

- The driver shall be clean and tidy in appearance
- Shirts, blouses, T-shirts, or sweat tops should cover the shoulders and be of sufficient length to enable them to be tucked into trousers or shorts
- Shirts or blouses can be worn with a tie or open-necked
- Trousers may be either full length or shorts if tailored
- Smart jeans type trousers are permitted
- Footwear should fit around the heel of feet

- Tailored hats which are used as part of a chauffeur service

**Unacceptable standards of dress within this Code:**

- Bare chests
- Unsuitable/Unclean or damaged clothing or footwear
- Clothing with offensive words, logos or graphics
- Swimming costumes
- Sleeveless vests or singlets
- Clothing with studs or sharp edges
- Any footwear that may compromise control of a vehicle, e.g. Flip Flops or open toe sandals
- Headwear (e.g. hats, scarves, hoodies, baseball caps) whilst within the vehicle, unless worn as part of a religious belief.
- Hooded garments ('hoodies')

## APPENDIX C

### Private Hire Operator Licence Conditions

The following conditions shall apply to Private Hire Operator Licences issued by Torbay Council by virtue of the Local Government (Miscellaneous Provisions) Act 1976, s55(3).

In these conditions reference to the words “you or your” shall mean the person named in this licence and where that person is a Limited Company, that Company.

#### 1. Standards of Service

- 1.1 At all reasonable times provide a punctual, well-organised and reliable service to members of the public and:
- (a) Ensure that when a Private Hire vehicle has been hired to be at a place at a pre-arranged time, that the vehicle, unless delayed or prevented by a reasonable cause, attends on time at that place;
  - (b) Ensure that any premises that you provide for accepting bookings when it is open to the public is safe, well maintained, clean, heated, ventilated and well lit, and that any seating that you provide is safe, comfortable and free from defect;
  - (c) Ensure that any telephone facilities and radio equipment provided are maintained in sound condition (e.g. is fit for purpose) and that any defects are repaired promptly; and
  - (d) Ensure that any vehicle provided by you for any booking is safe, clean, well maintained and free from defect.

#### 2. Convictions, Cautions or Fixed Penalty Notices

- 2.1 If you are convicted of any offence (this includes motoring and criminal offences), given a formal caution for any offence or have any fixed penalty notice imposed on you, then you must write to the Licensing Authority giving full details of the offence(s), caution(s) or fixed penalty notice(s) within seven days.

#### 3. Operator Office Location

- 3.1 The office must be located within Torbay to enable any authorised officer access to the premises or any records as required by statutes or conditions.

#### 4. Records

- 4.1 Keep at the operator base specified in this Licence, a bound book, the pages of which are numbered consecutively or a computer record in a form which has been approved by the Licensing Authority in writing; and enter or ensure that there is entered in the book or computer record, details of every booking of a Private Hire vehicle invited or accepted by you at the time the booking is made. The records shall contain the following details:

- (a) The time and date the booking was made;
- (b) The name and address of the hirer;
- (c) How the booking was made (i.e. by telephone, personal call, etc);
- (d) The time of the pick-up;
- (e) The address of the pick-up;
- (f) The address of the destination;
- (g) The time at which a driver was allocated to the booking;
- (h) The licence number of the vehicle allocated to the booking;
- (i) The name and licence number of the driver allocated to the booking;
- (j) Remarks (including details of any sub-contract); and
- (k) The time and date the entry was made and the name of the person making it.

4.2 Keep the records required under (1) above at the operator base specified in this Licence for a period of not less than 10 working days from the date on which they are made.

4.3 Keep at the operator base specified in this Licence, details of all the Private Hire vehicles currently operated by you under this Licence. Those records shall contain:

- (a) The licence number of the vehicle;
- (b) The issue and expiry date of the licence;
- (c) The make and registration number of the vehicle;
- (d) The name and address of the proprietor of the vehicle; and
- (e) The call sign allocated to the vehicle.

4.4 Keep or ensure that details of all licences held by Private Hire vehicle drivers currently employed by you or by the proprietor of any Private Hire vehicle which obtains bookings from you are kept at the operator base. Those records shall contain:

- (a) The name and address of the driver;
- (b) The issue and expiry date of his/her licence; and
- (c) The driver's licence number.

4.5 Keep for not less than 6 months following the date of the last entry, all records required to be kept by these conditions and produce them when required to do so by an Authorised Officer of the Licensing Authority or a Police Constable within 3 working days.

## **5. Computer Records**

5.1 Where you use a computer to maintain the records required by these conditions you shall ensure that it is lawful for an Authorised Officer of the Licensing Authority or a Police Constable to have access to those records in accordance with the Data Protection Acts or any subsequent legislation relating to the storage and access to computer records.

- 5.2 Where any record required under these conditions is made on a computer, the computer program shall be designed to show the time an entry is made and to prevent alterations being made to any data that has been entered and stored on the program.
- 5.3 Where any records are kept on a computer, a facility to print a copy of any record held on any such computer and shall produce them when requested to do so by an Authorised Officer of the Licensing Authority or a Police Constable.

## **6. Change of Circumstance**

- 6.1 If there is any change in any of the circumstances on which the licence was granted, you must provide written details of any changes within 5 working days of the change taking place.

## **7. Change of Address**

- 7.1 If you move your home or business address, you must provide written details to the Licensing Authority within 5 working days of the change taking place.

## **8. Radio**

- 8.1 No device, which can scan radio transmissions, shall be installed, carried or used in or on any premises named within this Licence (this shall not apply to a radio used for the purpose of passing messages to a Private Hire, which is supplied bookings, by the holder of this licence).

## **9. Deposit of Driver and Vehicle Licenses**

- 9.1 Any operator who employs or permits anyone to drive any licensed vehicle owned by them will ensure that the authorised drivers' Torbay Council issued dual drivers licence is deposited with him during the period that the driver is employed or permitted to drive, the licence must be returned to the driver at the end of that period. Any vehicle employed or used by an operator must be licensed and the proprietor of the vehicle shall deposit his vehicle licence with the operator during the period that his vehicle is so employed. The operator must return the licence to the vehicle proprietor at the end of the period.

### **IMPORTANT NOTE:**

***If you fail without reasonable excuse to comply with these conditions, the Licensing Authority may consider that this amounts to reasonable cause to suspend, revoke or refuse to renew this Licence, subject to each case being considered on its merits.***

## APPENDIX D

### Vehicle Specification Standards and Schedule of Conditions

#### Specification standards applicable to all Torbay Licensed Vehicles

Licensed vehicles must be of manufacturers' specification and shall comply in all respects with the Motor Vehicle (Type approval Regulations 1980, Motor Vehicle (Type Approval) Regulations 1984 and the Road Vehicles Construction and Use Regulations 1986. In addition, all vehicles must comply in all respects with the British and European vehicle regulations and be a type to the requirements to the M1 category of European Whole Type Approval 70/156/EEC as amended.

Vehicles converted from vans which have a type approval other than M1 will not be acceptable unless they are presented with approved M1 certification for the resultant vehicle. If the vehicle has been registered with the DVLA and issued with the appropriate registration index number, no change, structural alteration or rearrangement of detail shall be carried out unless the vehicle has received subsequent M1 Whole Type Approval.

If the vehicle has a UK Single Vehicle Approval Certificate, the Licensing Authority will expect that the vehicle will have been modified in accordance with a program approved by the original vehicle manufacturer and have appropriate documentary proof.

The vehicle must at all times be maintained in a satisfactory mechanical order and body condition and is operational in every respect, having regard to the following conditions.

#### **CONDITIONS RELATING TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES MADE UNDER LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

Every Hackney Carriage and Private Hire vehicle must comply in all respects with these specifications and conditions.

Whilst these specifications may have been complied with, a licence may nevertheless be withheld if the Licensing Authority is of the opinion that any vehicle is unsuitable for public use.

#### **INTERPRETATION**

- (a) The "*Licensing Authority*" means Torbay Council.
- (b) The "*Authorised Officer*" means the Licensing Officer of the Council.
- (c) The "*vehicle*" means the vehicle subject of the Hackney Carriage/Private Hire vehicle-licence to which the conditions are attached.

- (d) The “*proprietor*” means the person for the time being shown on the Hackney Carriage/Private Hire vehicle licence as the proprietor of the vehicle.
- (e) The “*driver*” means the driver for the time being of the vehicle.
- (f) Any obligation in these conditions not to do any act or thing shall be deemed to include an obligation not to cause or permit that act or thing to be done.
- (g) Any reference to any statute or subordinate legislation shall be deemed to include a reference to any amendment or re-enactment.

## **APPLICATION**

New specifications relating to colour, type or design of vehicles, will not immediately apply to vehicles that have been licensed prior to this Policy coming into force. Such vehicles will be considered suitable for renewal of the vehicle licence, up to the maximum age limit of 10 years from the date of first registration provided that they remain suitable for licensing in every other respect.

Once an existing licensed vehicle reaches the maximum permitted age limit, or is for any reason permanently replaced by an alternative vehicle, the replacement vehicle must comply in all respects with all vehicle specifications.

### **Use of a Hackney Carriage vehicle**

1. A Hackney Carriage vehicle may be hailed anywhere within the geographical area of Licensing Authority and may wait (provided it is in compliance with the ‘use of ranks’ as outlined in this Policy) on any rank within the Licensing Authority’s area when plying for hire.
2. Once being presented for hire, it is an offence under section 53 of the Town Police Clauses Act 1847, other than for exceptional reason to refuse to take any fare. Any breach of this requirement may result in disciplinary action against the driver of the vehicle.
3. There is a requirement that a Torbay Licensed Hackney Carriage vehicle must be operated predominantly within the Torbay Council area.
4. Under sections 46 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 it is unlawful for any Hackney Carriage vehicle to ‘ply for hire’, to sit on a rank or to accept a ‘hail’ from any person otherwise than in the issuing Licensing Authority’s area. A Torbay Licensed Hackney Carriage may however, operate for the purpose of private hire anywhere in England and Wales, subject to a requirement that it is predominantly operating in the Torbay Council area.

### **Use of a Private Hire Vehicle**

1. A Private Hire vehicle is permitted to accept pre booked fares only. They may not stop if hailed and may not at any time be caused to stop on any Hackney Carriage rank.

2. Whilst it is not necessary for a Private Hire vehicle to return to its operating base when waiting for a fare, drivers of these vehicles must at all times obey any parking or waiting restrictions. For example, at no time should a Private Hire vehicle be caused to wait in a resident only bay, disabled bay, on yellow lines, zig zags, box junctions etc other than for reason of emergency or to avoid a hazard.
3. Any Private Hire vehicle, singularly or with others, which give the appearance that it is available for immediate hiring, commits an offence. No more than two vehicles may congregate in any one location giving the appearance that they are a rank and may be plying for hire. As part of the Operator's licence issued for the vehicle, when un-engaged must be parked legally and not within 500 meters from an appointed Hackney Carriage rank.

### **Wheelchair Accessible Vehicles (WAV)**

In addition to the standard conditions and those applying to Hackney Carriage, and Private Hire vehicles, further conditions apply to WAV's as set out in this section. Where the conditions for WAV's conflict with the standard conditions, the WAV conditions will apply.

1. The vehicle must have a designated space to accommodate at least one wheelchair user to be carried in the wheelchair. This space shall be included in the total number of persons that are permitted to be carried, in total, in the vehicle.
2. Only the rear or the nearside door may be used for wheelchair access. The door and the doorway must be so constructed as to permit unrestricted opening across the doorway.
3. All wheelchairs must be carried facing forwards or rearwards. Where a wheelchair is carried facing the rear of the vehicle, the wheelchair, in addition to standard restraints must be positioned such that it is reversed against a bulkhead in order to provide additional stability.
4. Facilities for the loading of a wheelchair and occupant must be available, carried in the vehicle, at all times for use at the nearside or the rear passenger doors. The ramp must comply fully with all recommendations of the Equalities Act with regard to design and installation.
5. An adequate locating device must be fitted to ensure that the ramp does not slip or tilt when in use. Provision must be made for the ramp to be stowed and secured safely when not in use. The storage of the ramp when not in use must not impede access or egress of passengers.
6. Ramps must be rigid when in use and equipped with a slip resistant surface with the outer edges coloured.
7. Suitable anchorages must be provided for the wheelchair. Restraints for the wheelchair and occupant must be independent of each other. Belts attached to a wheelchair in order to assist a person to remain in it whilst travelling, will not be acceptable.

8. Vehicles must be capable of transporting a folded wheelchair as luggage. Anchorages must also be provided for the safe storage of a wheelchair when not in use, whether folded or otherwise, if it is being carried in the passenger compartment.
9. All anchorages and restraints must not be fitted or positioned in any way so as to cause danger to any passenger.
10. The provision of a step for assisted entry is required. The step must be covered with a slip resistant surface.

## Livery Policy

- All new or replacement vehicles presented for licensing as a Hackney Carriage vehicle on or from **2 November 2018** must be ~~white~~ **black in colour**.
- All new or replacement vehicles presented for licensing as a Private Hire vehicle on or from **2 November 2018** may be of any colour other than black. From the date of implementation of this livery policy, no black private hire vehicle will be accepted for licensing under any circumstances.
- **A Private Hire vehicle will only be considered for licensing as a Hackney Carriage if it complies with all criteria applicable to being licensed as a Hackney Carriage**
- No coloured identifying strips, stripes or other markings are permitted to be placed on the vehicle beyond those stipulated by the Licensing Authority.
- The paintwork must be professionally finished and displayed in accordance with the manufacturers' specifications. Bare metal, primer paint, visible rust and perforations will not be permitted. **Where there is a requirement for the vehicle (with regard to Hackney carriages) to be black, this must be the original manufacturers colour not a re-spray covering an alternative colour.**
- The colour from panel to panel must be of a good match and the finish capable of giving a good sheen.

Where a temporary vehicle licence is issued, an officer of the Licensing Authority may grant a temporary exemption from the Livery Policy, in all cases, the exemption will apply for a maximum period of 28 days and will be permitted on no more than on one occasion in any 12 month period.

Exceptional circumstances will only be considered where the vehicle change is unplanned and could not reasonably have been foreseen by the applicant. Any fees relating to replacement plates, door signs etc will be payable by the applicant.

## Vehicle Body

- All bodywork to be free from dents and damage.
- Panels must be attached and aligned to the chassis/body shell correctly with all joints and welds as per the manufacturer's specifications. The panels must be free from distortion and dents.

- Doors, door locks, boot/tailgate and locks, bonnet, hinges and catches, windows, sun roof and hoods must be operating correctly.
- All trim, mirrors, aerials, bumpers and wheel trims to be complete, correctly aligned and undamaged.
- Windows must be kept free of dirt, grime and marks.
- No vehicles are permitted to be fitted with 'bull bars' or any similar factory fitted or after-market additions that may pose additional danger to pedestrians in the event of a collision.

### **Interior Condition and Specifications**

- The upholstery, carpets, seats, trims and other interior fitments should be free from damage (including stains and burns) and significant wear. Good quality seat covers and carpet mats may be used, providing that each is a matching set, of colour co-ordinating with the vehicle and kept in good condition.
- The floor of the vehicle must be covered with a suitable carpet, mat or other covering which can be readily cleaned.
- All plastic fascia, door linings, roof linings and trim to be kept free from marks, stains and damage.
- All interior lights and fascia illumination to be maintained in good condition.
- All windows to be kept free of dirt, grime and marks.
- All door locks, levers and window winders to be operating efficiently.

### **Engine Size and Type**

- As a minimum standard all vehicles presented for licensing shall possess a minimum of 103 BHP (Brake Horse Power).
- In the case of a hybrid or fully electric vehicle there shall be a minimum power output of at least 103 BHP (Brake Horse Power) or the electric equivalent of 77 Kilowatts (KW).
- The driver of a purely electric car will be expected to ensure that the vehicle is used and maintained in a manner that ensures that sufficient charge is available to complete each journey prior to commencement of that journey.
- It is an aspiration of the Licensing Authority to encourage the use of greener vehicles, including electric vehicles, where it is practical to do so. This must be balanced against the safety and comfort of passengers. In this regard, should the Licensing Authority receive repeated complaints that any vehicle has been unable to

complete a journey due to lack of charge or fuel, this may result in a review of the licence issued in respect of that vehicle.

- The Licensing Authority supports measures to reduce the levels of carbon dioxide, nitrogen dioxide and particulate matter emitted. Liquid Petroleum Gas (LPG) conversions are therefore acceptable if carried out by an approved converter.

### **Communication between Driver and Passenger**

- Sufficient means must be provided by which any person in the vehicle may communicate with the driver.

### **Radio Equipment**

- Two-way radio equipment provided in the vehicle must be maintained in a sound condition and positioned so as not to obstruct the driver's ability to operate the vehicle's controls.
- Radio equipment must not be fitted in the boot compartment if LPG tanks or equipment is stored therein.

### **Mobile Telephones**

- Use of a mobile telephone must be by way of a hands-free kit or a Bluetooth headset.

### **Driver's Compartment**

- The driver's seat must be designed to accommodate the driver only and provide adequate room to enable easy reach of the operating controls and to enable hand signals to be made on the offside of the vehicle.
- The vehicle must be fitted with at least two mirrors fitted externally to the vehicle, one to the offside and one to the nearside, with another fitted internally. All mirrors are to be fitted and adjusted to afford the driver a clear view to the rear of the vehicle.
- Direction indicators of an approved type must be fitted.
- The vehicle must be fitted with adequate devices for demisting, defrosting and washing the windscreen and with a sun visor capable of being adjusted by the driver.

### **Wheels and Steering**

- The vehicle must be right-hand drive.

- Wheels should be correctly aligned, joints and bearings free from abnormal wear. All mounting points should be in a sound condition with no undue wear in any associated bushes.
- The vehicle must have a minimum of four road wheels.
- Vehicles must either carry the manufacturer's system of tyre repairs or spare wheel as compliant with the Construction and Use Regulations 1986 as amended.

## **Doors**

- Vehicles generally must have at least 4 doors, excluding any tailgate, each allowing direct access to and from the seats.
- Passengers' doors must be capable of being readily opened from inside and outside the vehicle by one operation of the latch mechanism, provided that this condition shall not prevent doors being fitted with a child safety lock.
- Windows must be provided at the sides and rear and passenger door windows must be capable of being easily opened and closed by passengers.
- A separate means of ingress and egress for the driver must be provided by means of a door on the offside of the vehicle.

## **Seating**

- Vehicles shall have seating capacities calculated on the basis of a passenger unit seat width of 16" (40.64cm) (measured laterally across any continuous seat).
- Vehicles having split rear seats shall be measured as a continuous seat provided they are as fitted by the manufacturer and have a gap of not more than 1<sup>3</sup>/<sub>4</sub>" maximum.
- All seats (including the driver seat) must be properly cushioned or covered.
- All seats must be fitted with appropriate seat belts to the front and rear seats of the vehicle. The number of seat belts fitted to the vehicle shall correspond with the number of passengers the vehicle is licensed to carry, plus a belt for the driver.
- Vehicles must not be fitted with 'occasional' seats to accommodate families and carriage of young children. Where a vehicle is presented for licensing that is fitted with 'occasional' seats the vehicle will not be considered suitable for licensing at their maximum manufacturer stated carrying capacity.

## **General Guidance Notes for the Use of Seatbelts**

- All licensed vehicles must be fitted with seat belts.

- Hackney Carriage drivers may claim exemption from wearing a seat belt when plying for hire or carrying passengers for hire.
- Private Hire drivers may only claim exemption from wearing a seat belt when a fare paying passenger is actually in the vehicle **and at no other time**.

A summary of the law on seat belts, at 18 September 2006 follows.

Drivers are reminded that it is their responsibility to ensure that they keep up to date with any changes to the legislation. Please refer to the conditions for useful reference points.

- **Driver:** Seat belt must be worn if fitted unless exemption applies.
- **Adult Passengers:** Seat belts must be worn whether travelling in the front or rear seat
- **Children:** If the driver doesn't provide the correct child car seat, children can travel without one - but only if they travel on a rear seat and:
  - wear an adult seat belt if they are 3 years of age or more; or
  - without a seat belt if they are under 3 years of age

A seat belt must NEVER be put around two people.

**IMPORTANT: DRIVERS MUST NOTE THAT THE LAW REGARDS THE DRIVER OF A VEHICLE AS BEING RESPONSIBLE FOR ENSURING THAT CHILDREN WEAR SEAT BELTS.**

### Carrying of Animals

- No animals, other than assistance dogs, or those owned or under the care of a bona-fide fare-paying passengers with the agreement of the driver, shall be carried in or on the vehicle whilst the vehicle is so engaged under the terms of the licence.

### Heating

- A fully operational ventilation and heating system must be fitted and maintained for the driver and passengers at all times.

### Luggage

- Luggage space must be a minimum of 0.43 cubic meters (430 litres) and able to carry a folded wheelchair without need for folding down any seat. The luggage compartment must be separated from the passenger compartment without obstructing any emergency exits.
- Luggage carried must be suitably secured in place.
- Luggage carried in estate cars or multi-passenger vehicles must not be stacked above the height of the rear seats unless the vehicle is designed with, or fitted with

suitable luggage restraints or covers to prevent luggage from entering the passenger compartment. Alternatively, a guard rail must be fitted.

## **Tyres**

- The depth of tyre tread must not be less than a minimum of 1.66mm.
- All tyres at normal pressure under load must have a suitable minimum circumference for correct operation of the taximeter.
- Tyre fitments should comply, in all respects, with the requirements of any Act or Regulation pertaining to Motor Vehicle Regulations on Tyre Safety in force at the time of licensing and during the currency of the licence.
- Road wheels should be free from any distortion and undue fatigue. All wheel nuts/studs must be of the correct type and correctly tightened.
- All wheel trims must be present and in good condition
- Any spare wheel fitted or otherwise in the vehicle is subject to the tyre specifications set out above.
- The use of a space-saver tyre, run flat tyres (when punctured) or puncture repair kit for all vehicles that are manufactured and delivered with such tyres or kits, shall only be permitted in the case of an emergency.
- In the event of a space-saver tyre, run flat tyres (when punctured) or puncture repair kit being used, it shall only be to complete a fare and must comply precisely with the manufacturers' recommendations. Any such tyre must be replaced in accordance with manufacture requirements before taking another fare, to ensure passenger safety.
- In cases where a wheelchair accessible vehicle conversion or a LPG conversion where the tank occupies the usual site of the spare wheel, the vehicle will be exempt from the requirement to carry a spare wheel matching those fitted to the vehicle. This would be subject to the vehicle meeting the luggage criteria and being approved by the specialist converters. In these instances an alternative space saver tyre or puncture repair kit must be carried on the vehicle for emergencies.
- All other licensed vehicles must carry a spare wheel matching those fitted to the vehicle and an appropriate means of changing the wheel.

## **Vehicle Suspension**

- Suspension components, including shock absorbers, springs and torsional bars and linkages, and their associated mounting points should be in sound condition and operating efficiently so as to ensure there is no excessive roll or pitch. There should be no signs of undue wear/fatigue and they should be reasonably free from rust/corrosion.

## **Fuel Tank**

- The filling point-for the fuel tank must be suitable secured so as to ensure that it cannot be tampered with in any way.

## **Fittings**

- No fittings other than those approved by the Licensing Authority shall be attached to or carried upon the inside or outside of the vehicle.

## **Fire Extinguisher/First Aid kit/Drivers Handbook**

A First Aid Kit and the Drivers Handbook must be carried within the licensed vehicle at all times.

The vehicle must carry a suitable and compliant fire extinguisher sited in a readily accessible place known to the driver. The appliance shall have a minimum content of 1 kilogram, conform to BSEN3 1996 and be of the dry powder or foam type, be kept in good condition and be fitted with a gauge which indicates the condition of its contents. Every fire extinguisher to be permanently marked with the vehicle's Hackney Carriage or Private Hire vehicle licence number.

## **Licence Plate**

- The authorised licence plate issued by the Licensing Authority must be affixed to the outside of the vehicle as follows:
  - The licence plate must be permanently fixed to the rear of the vehicle in a conspicuous upright position.
  - The licence plate must not be fixed to/or displayed in the rear window.
  - The small identification card must be securely fixed to the inside of the vehicle in a conspicuous position.
- No vehicle may be used or permitted to be used with any such licence plate concealed from view or so defaced that any word, letter, figure or material particular is illegible or missing.
- The Licensing Authority must be informed immediately should the licence plate showing the number of the licensed vehicle be broken, lost or defaced. On no account must the licensed vehicle carry any passengers without this licence plate.

## Dual Plating

- No vehicle will be granted a licence if it is licensed in another district due to the problems of meeting the variance in conditions applied in different districts and the enforcement of those conditions in cases of non-compliance (i.e. signs, meters, suspensions or revocation).

## Roof signs [applicable to Hackney Carriage Vehicles only]

- The vehicle must be fitted with a roof sign of a type approved by the Licensing Authority, with the word "Taxi" predominant on the front of the sign and the word "Taxi" or the proprietors trading name, or telephone number, to the rear. The roof sign shall be properly manufactured and comply with relevant legislation.
- The taxi roof sign must be mounted above the vehicle roof and be adequately secured.
- The roof sign must be capable of being illuminated during the hours of darkness.
- The roof sign must at all times comply with any requirements of vehicle lighting regulations when illuminated.
- ~~The roof sign may be removed while the vehicle is being used in connection with a funeral or wedding.~~

## Advertising (door signs etc)

- Please see advertising standards (**Appendix F**)
- All Hackney Carriage vehicles licensed by Torbay Council must display within the vehicle the current tariff and should not be concealed from passengers at any time.
- Adhesive door stickers approved by Torbay Council shall be permanently displayed on each front door of the vehicle on the upper panel of the door. Magnetic door signs are not permitted. The door sign will contain the Torbay Council logo, the vehicle licence number and wording that identifies it as a Hackney Carriage vehicle.
- The door stickers shall not be concealed from public view or defaced or altered in any way.
- "No Smoking" signs shall be displayed on both rear passenger door windows.

## Alteration of Vehicle

- No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Licensing Authority at any time while the vehicle licence is in force.

- Equipment must not be removed from the vehicle which is wheelchair accessible which would render the vehicle incapable of carrying wheelchair-bound passengers.

### **Towing of Trailers**

- No licensed vehicle may tow any trailer whilst being used as a licensed vehicle.

### **Maintenance of Vehicle**

- The vehicle, including the engine area, and all fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition, and all relevant statutory requirements will be complied with.

### **Inspection**

- The vehicle may be called in for inspection at any time by the Authorised Officer to ensure compliance, failure to attend and show any documentation as requested may lead to suspension or revocation of licence under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976.
- The applicant shall submit the vehicle for a compliance test and/or other inspection as the Licensing Authority may require from time to time. Paragraphs 14.24 to 14.29 of this Policy outlines when a compliance test will normally be expected.

### **Vehicle Checks**

- Any vehicle that is suspected of any infringement of legislation, byelaws or conditions may be examined by an Authorised Officer at any time to ensure its fitness to be used as a licensed vehicle. If, upon examination, any vehicle, which for any reason, is deemed to be unsuitable to continue to use as a Hackney Carriage or Private Hire vehicle may have its licence suspended.

### **Ranks [applicable to Hackney Carriage Vehicles only]**

- The number of Hackney Carriage vehicles stationed at any rank must not exceed the number for which the rank is appointed at any time. If a rank is full at the time of the vehicles' arrival at a rank then the driver must proceed to the next available rank.
- Hackney Carriage drivers are reminded that it is an offence under the Town Police Clauses Act 1847, to leave a Hackney Carriage unattended in a public place. Any parking, outside of agreed parameters, may therefore be dealt with under the Licensing Authority's enforcement Policy, as appropriate and/or may result in being issued with a fixed penalty notice.
- In order to ensure public and road safety, all Hackney Carriage drivers are expected to move forward when the vehicle at the front of the rank moves.

## **Complaints**

- Any vehicle against which complaint is laid must be presented to the authorised officer within one working day of being so requested for inspection, testing and for the driver to answer such complaint.

## **Unlicensed Drivers**

- Your attention is drawn to section 46 of each of the 1847 and 1976 Acts which require ALL drivers of Hackney Carriage and Private Hire vehicles to hold the appropriate drivers licence as issued by the Licensing Authority and it is an offence which affects the insurance to allow any unlicensed person to drive any licensed vehicle.

## APPENDIX E

### Limousine Licensing Policy

The Licensing Authority accepts that vehicles of this type, where appropriate, have a legitimate role to play in the Private Hire trade, meeting a public demand.

Any application made will be judged on its own merits. However, stretched limousines which have more than 8 passenger seats will not be licensed as a Private Hire Vehicle as do not fall within the remit of the licensing regime.

Where a vehicle is licensed as a Private Hire Vehicle, the operator and any person who drives the vehicle for hire must also hold the appropriate licence issued by the Licensing Authority.

Vehicles constructed or adapted to seat fewer than nine passengers, including stretched limousines, are exempt from Private Hire Vehicle licensing requirements while being used in connection with a funeral or a wedding, or where used wholly or mainly for the purpose of funerals or weddings.

#### DEFINITION OF A LIMOUSINE

For the purposes of this Policy and licence conditions, a stretch limousine is defined as follows:

A stretch limousine is a motor vehicle that has been lengthened by the insertion of an additional body section and modified by a coachbuilder to contain luxury facilities and fixtures

- that is capable of carrying up to but not exceeding 8 passengers;
- that prior to the introduction of this Policy could not currently be licensed by the Council as a Private Hire Vehicle;
- that is not a decommissioned military or emergency service vehicle

	ISSUE	LICENCE CONDITION
1	Left Hand Drive Vehicles	Permit Left Hand Drive limousines to be considered for PHV licensing.
2	Sideways Seating	Permit limousines with sideways facing seating to be considered for PHV licensing.
3	Signage	The signage on limousines will need to meet the Authority's main advertising requirements.
4	Tinted Glass	Permit limousines with heavily tinted glass in the rear offside/nearside windows to be considered for licensing. However, heavily tinted glass in the driver cockpit would remain prohibited in line with legal requirements.
5	Fare Table/ Taximeter	Limousines are not required to display a fare table or contain a taximeter.
6	Roadworthiness	The stretched limousine must hold a valid Single Vehicle Approval (SVA) Certificate.

	<b>ISSUE</b>	<b>LICENCE CONDITION</b>
7	Vehicle Age	Stretched limousines to be licensed in accordance with the Licensing Authority's current PHV standards Policy.
8	Insurance	An appropriate insurance Policy must be in place which covers use of the vehicle for hire and reward.
9	Tyres	The limousine must be fitted with tyres that meet both the size and weight specification.
10	Maximum Passengers	The limousine's seating capacity must be reduced where necessary to a maximum of 8 passengers.
		Any seats in the driver's compartment other than the driver's seat shall not be used to carry passengers
		The vehicle must not carry more than 8 passengers at any time. (A babe in arms is classed as a passenger no matter what their age).
		In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry 8 passengers.
11	Seatbelts	Seatbelts must be fitted to all forward and rear facing seats and must be worn at all times by passengers whilst the vehicle is in motion. There is no legal requirement for seatbelts on sideways facing seats.
12	Fire Extinguisher	The vehicle must contain a fully functional portable multi-purpose powder type fire extinguisher which bears a kite mark and a last service sticker. The extinguisher must be securely fitted, accessible and ready for use at all times.
13	Alcohol	Alcoholic drinks provided in the vehicle shall be under the terms of an appropriate licence relating to the sale and supply of alcohol
		Alcohol shall only be served while the vehicle is stationary and afterwards, the bottle shall be placed in a secure receptacle.
		If the occupants are below the age of 18, there should be no alcohol in the vehicle for consumption or otherwise.
		Any glassware in the vehicle must be made of either shatterproof glass or plastic.
14	Entertainment	The driver shall not play or permit the performance of any media that, given its age classification or content, is unsuitable for the age of the passengers in the vehicle.
		The limousine operator shall ensure that a performing rights licence is held where appropriate.
		If the limousine parks to provide some form of entertainment to its passengers, an entertainment licence must be in place in accordance with the Licensing Act 2003.
15	Council Notices	The proprietor shall when directed by the Council, display and maintain any notices in a conspicuous position.
16	Advertisements	No other signs, notices or any other markings will be displayed on or in the vehicle without the written permission of the Council.

## **DRIVER AND OPERATOR LICENSING REQUIREMENTS**

- In addition to the limousine being licensed as a Private Hire vehicle, the limousine operator is required to hold a Private Hire operators' licence with the Licensing Authority.
- All bookings for a limousine licensed as a Private Hire vehicle must be booked through the licensed Private Hire operator.
- Once licensed as a Private Hire vehicle, the limousine can only be driven by a Torbay Council licensed driver.

## **VEHICLE TESTING STATIONS**

Stretch limousines will normally be required to provide 6 monthly (i.e. 2 per annum) MOT certificates from a VOSA goods vehicle testing station, or alternatively a local authority VOSA approved class 5 testing station, that has appropriate facilities.

If you propose to obtain an MOT from any other vehicle testing station other than those listed above you are advised to contact the licensing section before submitting the vehicle for an MOT, otherwise you may find that the certificate cannot be accepted.

## APPENDIX F

### Advertising Standards

#### Permitted Sites for Advertisements

##### Hackney Carriage Vehicles:

All Hackney Carriage vehicles licensed by Torbay Council must display within the vehicle the current tariff and should not be concealed from passengers at any time.

Advertisements may be permitted on the rear/offside doors of the vehicle so long as they do not have the potential under any circumstances to distract other road users. Advertising signs must be no larger than 24 inches (61cm) long and 12 inches (30.5cm) wide.

An advertisement of one subject matter from one advertiser per vehicle may be permitted on the rear doors.

Alternatively, vehicles may display the operator's company name, company logo, telephone number and/or web site address on the rear doors by way of adhesive stickers or by magnetic signs. The size for these types of signs must be no larger than 24 inches (61cm) long and 12 inches (30.5cm) wide.

A company telephone number may also be advertised on the upper nearside of the front windscreen – the size and style to be agreed by the Licensing Authority.

**Proprietors are recommended not to order any signs until a formal application has been made to the Licensing Authority and permission in writing has been issued. Such permission will relate only to the vehicle applied for and not any subsequently licensed vehicle.**

##### Private Hire Vehicles:

Advertisements are not permitted on the exterior of the vehicle.

So as not to cause confusion with Hackney Carriages, any door signs shall be limited to the words: "Private Hire Vehicle", "Advanced Bookings Only" or "Pre Booked Fares Only".

The proprietor or operator may affix additional company identification signs to each of the rear doors. These signs can be either adhesive or magnetic signs. The size of these signs must be no larger than 22 inches (55.9cm) long and 9 inches (22.9cm) wide.

The sign may carry the words “Private Hire Vehicle” and “Advanced Bookings Only”, however, if so affixed it must also carry a landline telephone number where a prospective passenger can make the journey booking.

A company telephone number may also be advertised on the upper nearside of the front windscreen – the size and style to be agreed by the Licensing Authority.

The words “Taxi” or “Cab” must not appear anywhere on the vehicle.

No other word e.g. “Kab” or a variation thereof is to be used to lead or cause the general public to reasonably believe the vehicle is a Hackney Carriage and would be available for hire.

### **Sites Where Advertisements are not Permitted**

#### **Both Hackney Carriage and Private Hire vehicles:**

No signage or advertising is permitted on any part of glazing on the vehicle, unless the sign is informing passengers not to smoke, eat or drink or to indicate that credit/debit card payments may be made at a size agreed by the Licensing Authority.

No signage permitted on the glazing must hinder, obscure or restrict the vision of the driver or passenger.

No signage or advertising is permitted internally within the vehicle.

No signage or advertising is permitted on any body part of the vehicle other than those specified above in permitted sites of advertising.

No signage must hinder or obscure or otherwise prevent the vehicle registration number, vehicle lights or Licensing Authority licence plate from being seen.

#### **Other signage:**

The Licensing Authority will allow the following types of other signage within the licensed vehicle

- Any sign indicating membership of a national motoring organisation or local taxi association.
- Any sign provided by Torbay Council or Devon County Council to show that the vehicle is used for school contracts shall be displayed in the front windscreen in such a manner so as to not obstruct the drivers vision, and may only be displayed when actually employed in the performance of such contract work with pupils being carried
- Signage to show that Card Payments are taken

## Roof Signs

**Hackney Carriages** – all vehicles must be fitted **at all times** with a roof sign of a type approved by the Licensing Authority with the word “Taxi” predominant on the front of the sign and the word “Taxi” or the proprietors trading name, or telephone number, to the rear. The roof sign shall be properly manufactured and comply with relevant legislation.

The roof sign must be mounted above the vehicle roof and be adequately secured.

**Private Hires** – No Private Hire vehicle is permitted to be fitted with a roof sign

**All vehicles must display the universal no-smoking sign in each compartment of the interior. Fixed Penalty Notices may be issued for non-compliance under The Smoke-free (Signs) Regulations 2007.**

## APPENDIX G

### Schedule of Taxi Rank Provision

Taxi Ranks Located Within Torbay Council Area: allocated under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

LOCATION	VEHICLE ALLOCATION
<b>Torquay</b>	
Lymington Road (Town Hall Car Park)	Up to 3 vehicles
Lymington Road (Assembly Rooms)	Up to 1 vehicle
Lymington Road (Coach Station)	Up to 6 vehicles
Castle Circus	Up to 3 vehicles
Union Street	Up to 10 vehicles
GPO Roundabout	Up to 3 vehicles
Chestnut Avenue	Up to 3 vehicles
Victoria Parade	Up to 7 vehicles
Victoria Parade (18:00 – 06:00)	Up to 4 vehicles
The Strand	Up to 3 vehicles
The Strand Bus Bays – Seaward Side (00:00 to 06:00)	Up to 10 vehicles
Cary Parade	Up to 8 vehicles
Torbay Road - Princess Theatre (18:00 – 08:00)	Up to 3 vehicles
Torwood Street (18:00 – 08:00)	Up to 4 vehicles

<b>Paignton</b>	
Palace Avenue	Up to 2 vehicles
Torbay Road (18:00 – 08:00)	Up to 3 vehicles

<b>Brixham</b>	
Bank Lane	Up to 7 vehicles

For Horse-Drawn Hackney Carriages

LOCATION	VEHICLE ALLOCATION
<b>Torquay</b>	
Vicarage Hill, Cockington	Up to 2 carriages
Cockington Lane	Up to 4 carriages

## APPENDIX H

### Hackney Carriage Fares Increase Procedure

Any increase in the maximum tariff of fares should be requested by members of the trade. Such requests should be made in writing to the Licensing Authority and should stipulate the degree and nature of the increase that is being requested.

- 1.1 The application will be placed before the next available meeting of the Licensing Committee of the Council for their consideration, and
- 1.2 The Committee will refuse, approve or amend any part of the application
- 1.3 No increase in fares can come into operation until the proposals have been advertised as required and objections have been considered
- 1.4 Any fare increase approved must be set into the taximeter within one week of the date on which such increase comes into force
- 1.5 No proprietor may charge any fare increase until the due date and the taximeter has been re-calibrated to the new fares
- 1.6 All taximeters must be checked and sealed by the installer, although an authorised officer of the Licensing Authority may make a random check of any meter at any reasonable time.

**GUIDELINES FOR CCTV SYSTEMS IN TAXIS AND PRIVATE HIRE VEHICLES  
LICENSED BY TORBAY COUNCIL**

## **1. Introduction**

- 1.1 These guidelines set out to ensure that CCTV systems in taxis (Hackney Carriages) and Private Hire vehicles within Torbay are used to prevent and detect crime, reduce the fear of crime and enhance the health and safety of taxi and Private Hire drivers and their passengers.
- 1.2 Proprietors and operators, installing CCTV systems must fully comply with the requirements set out in these guidelines as well as ensuring they comply with the Data Protection Act and forthcoming General Data Protection Regulation (GDPR)
- 1.3 Adherence to these guidelines will ensure that the civil liberties of all parties are upheld.

## **2. The purpose of taxi CCTV systems**

- 2.1 The purpose of CCTV systems shall be to provide a safer environment for the benefit of vehicle drivers and passengers by:
  - Deterring and preventing the occurrence of crime
  - Reducing the fear of crime
  - Assisting the police in investigating incidents of crime, disorder, accident and complaint
  - Assisting the police in identifying missing persons
- 2.2 It is important that any person who suspects that a crime has been committed and that an in-car CCTV camera may contain relevant information to the crime, should report that suspected crime to the police as soon as possible. Any delay in reporting a suspected crime may result in evidence being lost.
- 2.3 An authorised officer of the Licensing Authority or the police may, at any reasonable time and upon production of identification, if requested, examine any in-car camera installation.

## **3. Data Protection and the Information Commissioner's Office**

- 3.1 The installation and operation of the CCTV system shall comply with the requirements of the Information Commissioner's (ICO) Code of Practice which is available via:

<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

- 3.2 The ICO defines a “Data Controller” as the body which has legal responsibility under the Data Protection Act (DPA) 1998 for all matters concerning the use of personal data. For the purpose of the installation and operation of in-vehicle CCTV, the Data Controller is the specified company or individual that has CCTV installed.
- 3.3 Notification is the process by which a Data Controller informs the ICO of details about their CCTV system. These details are used to make an entry in the public register of Data Controllers. This means that any specified company or individual vehicle owner must register with the ICO. The notification requires renewal on an annual basis and payment of the appropriate fee which is currently £35.00. The fee will increase in May 2018, please see the ICO’s website for further guidance.
- 3.4 You must ensure that you are able to comply with any subject access requests made to you for copies of the footage relating to the individual requesting it. You must have a policy in place for handling such requests in line with the Data Protection Act, forthcoming GDPR and ICO guidance.

#### **4. General Requirements**

- 4.1 The in-car CCTV system will at all times remain the property of the licensed proprietor of the vehicle or the licensed driver who uses the vehicle, who at all times will be liable for its use in his/her vehicle.
- 4.2 The CCTV system shall comply with any legislative requirements contained in the Road Vehicles Construction and Use Regulations 1986 (as amended).
- 4.3 The CCTV system must meet all applicable legal requirements as regards safety, technical acceptability and operational/data integrity, specially you must ensure you comply with principle 7 of the Data Protection Act regarding appropriate technical and organisational measures to protect personal data.
- 4.4 All equipment must be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or driver, including impact with the equipment in the event of collisions or danger from the electrical integrity being breached through vandalism, misuse or wear and tear.
- 4.5 It is recommended that CCTV systems are capable of date, time and vehicle identification information.
- 4.6 It is recommended that CCTV systems are capable of capturing images during daytime and darkness of sufficient quality to enable the identification of any person travelling in the vehicle and be of such quality that it can be used for prosecution purposes where necessary.
- 4.7 It is recommended that the CCTV system should be capable of recording and storing images for a minimum of 28 days.
- 4.8 The positioning of the CCTV system should be such that the hard disc or data card is not accessible to any passenger travelling in the vehicle.

- 4.9 The equipment must be marked as complying with current European Industry Standards.
- 4.10 All images should be in a format that is easily useable by the Police and the Courts.
- 4.11 CCTV systems shall not be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in very exceptional circumstances. If the system comes equipped with a sound recording facility then this functionality shall be disabled.
- 4.12 All licensed vehicles with in-car CCTV systems installed shall display prominent notices visible from outside the vehicle and also within the vehicle at a point readily visible to passengers to inform them that a CCTV system is in operation within the vehicle.

## **5. Use of information recorded using CCTV**

- 5.1 The CCTV equipment installed must have the capability of retaining images either:
- Within its own hard drive
  - Using a fully secured and appropriately encrypted detachable mass storage device, for example a compact flash card
- 5.2 The police shall be permitted to access data under the following circumstances:
- Where a crime report has been logged involving a vehicle fitted with a CCTV system
  - Where the police or Licensing Authority have received a complaint involving the vehicle fitted with a CCTV system or its driver and the complaint cannot be fully investigated or resolved without access to the recordings
  - Where a subject access request has been made under the DPA

*Note: The Data Controller is responsible for complying with all relevant data protection legislation, Under the DPA and forthcoming GDPR, members of the public may make a request for the disclosure of images of themselves, but only where they have been subject of a recording. This is known as a "subject access request". Such requests must only be accepted where they are in writing and include sufficient proofs of identity (which may include a photograph to confirm that they are in fact the person in the recording) Data Controllers are also entitled to charge a fee for a subject access request (currently a maximum of £10) as published in the ICO CCTV Code of Practice. Please note that from 25 May 2018 Data Controllers, under the GDPR are not allowed to charge any fee for Subject Access Requests and must comply with the request within one month.*

- 5.3 The licence holder shall co-operate with any police investigation where access to the CCTV footage may assist in that investigation.

- 5.4 In the event of a serious crime investigation, where the equipment stores the image digitally and is therefore primary evidence, it may be necessary for the data storage unit to be removed from the vehicle. The decision will be made by the investigating police officer.
- 5.5 Only a police officer or a civilian working for the police or at the direction of the police may make copies of any image.
- 5.6 No other person will have direct access to the images stored in the in-car CCTV system. Any person who believes that the image of a person responsible for a criminal act may be held in an in-car CCTV system, must report the matter to the police.

## APPENDIX J

### Horse Drawn Carriages

The Licensing Authority licences horse drawn Hackney Carriages and drivers, as in accordance with the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976.

The following shall apply to horse drawn Hackney Carriages licences issued by the Licensing Authority.

#### 1. Drivers

- 1.1 All drivers wishing to operate a horse drawn Hackney Carriage must obtain a licensed drivers badge from the Licensing Authority before commencing service.
- 1.2 The procedure for obtaining such a licence can be found on page 11 of this Policy. Sections 5 to 13 of the Policy apply to all licensed drivers.
- 1.3 As part of the application process, the applicant will need to obtain a valid certificate of driving competency issued by or on behalf of the British Driving Society.
- 1.4 Drivers wishing to operate a horse drawn Hackney Carriage only and NOT a motorised Hackney Carriage vehicle do not have to undertake a local knowledge test as part of the application process. Those drivers wishing to operate both horse drawn and motorised Hackney Carriage vehicles are required to undertake the local knowledge test as part of the application process. The local knowledge test is, as specified by the Local Authority

#### 2. Carriages

Requirements of carriages

- 2.1 The carriage must be drawn by only one horse
- 2.2 The carriage must have 4 wheels
- 2.3 The carriage must have a separate compartment for the passengers to be carried in
- 2.4 The carriage must be capable of carrying a minimum of 4 passengers and a maximum of 6 passengers
- 2.5 The carriage must have sufficient access steps, designed to ensure safe access of passengers into and from the carriage
- 2.6 The carriage must have an independent, efficient and effective braking system

- 2.7 Any horse which pulls a Hackney Carriage must be fitted with an effective harnesses and tack to ensure that the driver able to control the horse at all times and steer the carriage as required
- 2.8 The Hackney Carriage and all its fittings and equipment, will at all times while in use or available for hire, be kept in an efficient, safe, tidy and clean condition.
- 2.9 An Authorised Officer of the Licensing Authority or Police Officer shall, at all times when the Hackney Carriage is not hired, be permitted to inspect the carriage, harnesses and fittings so as to ascertain the fitness of the carriage for continued use for hire and reward.

### **3. Insurance Requirements**

- 3.1 The Hackney Carriage must, at all times whilst licensed, have adequate Public Hire Insurance cover, appropriate to the use of the carriage on the public highway. A certificate and/or Policy covering “third party” risks must be produced to the Licensing Authority prior to a vehicle being licensed as a horse drawn Hackney Carriage.

### **4. Grant and Renewal of Carriage Licenses**

- 4.1 The Licensing Authority will, providing that all the Licensing Authority’s requirements are met; issue a 12-month licence which will run from 1<sup>st</sup> May to 30<sup>th</sup> April.

### **5. Identification plates**

- 5.1 The Licensing Authority will provide a licence plate, identifying the carriage as a licensed horse drawn Hackney Carriage. Any such plate will have a licence number on it and must be displayed at the rear of the carriage and must be visible at all times.

### **6. Signage & Advertising**

- 6.1 The Licensing Authority will permit, on the same terms as those currently in force for motorised Hackney Carriages, advertising on horse drawn Hackney Carriages. However any such advertisements must be approved by the Licensing Authority in advance of the carriage undergoing any such modification.
- 6.2 The conditions for advertising are set out in **Appendix F** of this Policy

### **7. Welfare of Horses**

- 7.1 No horse shall be used in connection with a licensed horse drawn carriage, unless a veterinary surgeon has examined the horse within the preceding twelve months and issued a certificate of fitness in respect of that horse.

- 7.2 The horse must be sound and free from lameness, be at least six years of age and must not be used whilst under any veterinary treatment, unless written permission is expressly given by the surgeon. If any horse proposed for use is not six years of age, then a specific certification must be obtained at the applicants' expense, from the British Driving Society as to that horse's suitability for use.
- 7.3 The person responsible for providing the Hackney Carriage for hire shall examine the horse and carriage carefully at the start of each day, to ensure that the health of the animal and a good condition of the carriage and harness are maintained at all times.
- 7.4 The licensed driver must have due regard to extreme or adverse weather conditions, including hot sunshine, and must at all times consider the horse's welfare.
- 7.5 The horse must be regularly and competently shod.
- 7.6 If in the opinion of an Authorised Officer of the Licensing Authority or a Police Officer, the horse appears unfit for work, then the use of that horse shall cease immediately until such time as a veterinary surgeon specialising in large animal practice has certified that the horse is fit. The fees for such an examination are the responsibility of the carriage proprietor.

## 8. **Fares**

- 8.1 The current tariff in respect of horse drawn Hackney Carriages must be displayed in a prominent position so that a prospective passenger can see the tariff prior to boarding the carriage.
- 8.2 On receipt of a request for consideration of an increase in fares from a horse drawn carriage operator, the Licensing Authority will follow the procedure set out in **Appendix H** of this Policy.
- 8.3 The setting of horse drawn Hackney Carriage fares is the function of the Councils Licensing Committee.
- 8.4 A fares tariff is enforceable as a Byelaw and it is an offence for any person to charge more than the set fare.

## 9. **Change of carriage by an existing proprietor**

- 9.1 An existing proprietor must notify the Licensing Authority of any change of horse or carriage, from those registered with the Licensing Authority, before such change occurs.

**10. Removal of Faeces**

- 10.1 The proprietor shall ensure that the design of the carriage is such that, as far as is practicable, no faeces will be deposited on the highway/road. Any device used, must not cause distress or discomfort to the horse. Any faeces that are deposited on the highway/road are to be removed as soon as is practicable to do so.

**11. Change of Address**

- 11.1 The licensed driver or carriage proprietor shall immediately notify the Licensing Authority of any change of address during the period of licence prior to such change taking place, and in any case within 5 working days of such change.

**12. Convictions**

- 12.1 The proprietor must notify the Licensing Authority, in writing, immediately and within 7 days of receipt of any conviction.

**13. Permitted routes for use**

- 13.1 Torbay Council horse drawn Hackney Carriages are permitted to operate around Cockington Village, around the area of Cockington Court and to Torquay seafront (not entering the seafront) only. Permission to operate in the grounds of Cockington must be sought from the land owner.

## **Consultation Response Summary**

### **Revision of Torbay Council's Hackney Carriage and Private Hire Licensing Policy**

In all there was an overwhelming response to the consultation with 239 returns in total.

These returns were made up from, a total of 213 questionnaires, a separate response from the Torbay Taxi Association (TPHA), 23 additional copies of the TPHA response being returned and signed by non-association members and 3 additional letters from respondents who chose not to use the prepared questionnaire. It is not known how many, if any, of the 23 additional copies of the TPHA representation are from people who also submitted a consultation questionnaire.

These results are summarised below and where necessary or appropriate, a revised proposal in the Policy is suggested in consideration of the responses received.

Reasons are provided where either an alteration is recommended to the original draft Policy or where it is proposed that no alteration should be made, despite consultation responses to the contrary.

### **Torbay Licensed Taxi and Private Hire Association**

The response from the TPHA generally relates to the consultation questionnaire and are covered in more detail under the respective headings below. However, some comments relate to other areas of the Policy and these are addressed as follows:

The condition below with regard to Hackney Carriage Roof Signs was retained in the draft Policy, though the intention had been to remove it because the condition renders it difficult to determine that the vehicle is a Hackney Carriage, which is unlawful. Although the TPHA would like to retain this condition, it has been removed for the reasons given below.

This was in appendix D to the Policy under the heading 'Roof Signs', on page 56:

*'The roof sign may be removed while the vehicle is being used in connection with a funeral or a wedding'*

The reason for requiring removal of this section of the Policy, is that by condition, a roof sign is a requirement with regard to any Torbay Hackney Carriage vehicle. A Hackney Carriage remains a Hackney Carriage at all times, regardless of the use that the vehicle is being put to at any given time (the same position applies to Private Hire vehicles). This was a ruling that was established in *Benson v Boyce [1997] RTR 226*.

As a consequence of *Benson v Boyce*, a licensed vehicle should be identifiable as a licensed vehicle at all times, whether being used for hire or reward or otherwise. This is a clarity that is also required for enforcement and compliance reasons.

No Policy may permit or seek to permit any activity that is unlawful. Therefore this aspect of the Policy has been removed.

## **Paragraph 2.6**

The TPHA raise some queries with regard to this paragraph and what the Council's intentions are? This is an existing part of the Policy and remains unaltered from that as published in 2013, see below. The whole section relates to future environmental objectives for the Licensing Authority in carrying out the 'Taxi' function and any alterations to Policy or fees that may arise from new processes under this section would not be conducted outside of a Committee process.

### **'To Encourage Environmental Sustainability:**

- *Investigate alternative fuels and conversion systems;*
- *Investigate the potential for providing an environmental levy or reducing licence fees for cleaner vehicles;*
- *Involve Taxi Trade in identifying ways to reduce vehicle emissions;*
- *Consideration of suitability of vehicles that are unable to comply with Euro Technology (or equivalent standard) requirements.'*

### **Recommendation A:**

That paragraph 2.6 should remain unaltered.

## **Paragraph 2.8**

The TPHA have requested that notice is taken of this paragraph, repeated below. This policy is produced following due consideration of the legislation, best practice guidance, case law and experience of administration of the 'Taxi' function over time. The prime objective of the licensing function is the promotion of public safety, no alterations are proposed where it is not considered that it is appropriate to do so for safety or compliance reasons. In particular, any proposal that carries with it an associated expense to the licence holder has not been proposed without full consideration of the need/benefit over cost.

*'The Licensing Authority is aware that applying licensing requirements which are unduly stringent may unreasonably restrict the supply of taxi and Private Hire services, and can lead to negative safety implications. Therefore, the Licensing Authority has considered each of its licensing requirements in relation to the proportion of risk it aims to address.'*

**No recommendation as this response merely requests that notice is taken of this section of the Policy.**

## **Paragraphs 14.12 to 14.14**

These again are paragraphs that are already written into the 2013 version of the Policy, albeit, paragraph 14.14 has been expanded slightly to include inspection of the vehicle and removal of the vehicle plate whilst the suspension remains in force.

The TPHA appear to be against formal inspection of the vehicle following repair, in circumstances where it has been deemed unfit (or potentially unfit) by a Licensing Officer, preferring instead that the Officer declares the vehicle fit for service. The key point here is that although an Officer may pick out obvious areas of concern e.g. accident damage, worn tyres etc, Officers are not trained mechanics. There may be hidden defects that only a trained mechanic can identify.

The emphasis with regard to paragraph 14.14, should be placed on the word 'may', this is because there will clearly be occasions where damage e.g. a worn tyre is obvious and once replaced can clearly be seen to have been rectified. In such cases a degree of discretion may come into play and the vehicle may be deemed fit without need for a full inspection.

*'14.12 The vehicle will be inspected by an Authorised Officer and a decision made as to whether or not the vehicle is in such condition to continue in service.'*

*14.13 If any damage to the vehicle is such that the Authorised Officer considers it to be in a safe condition to continue in service, the vehicle shall be permitted to remain in continued service but the identified repairs must be undertaken within a maximum of 28 days of the damage occurring. Failure to do so may result in the vehicle licence being suspended until such time that the permanent repairs have been undertaken.*

*14.14 If any damage is considered by an Authorised Officer to be extensive enough to affect the safety or general appearance of the vehicle, the vehicle plate shall be removed and the proprietor of that vehicle shall immediately remove the vehicle from service. The vehicle must be repaired and may be required to undergo a full vehicle examination at the/an approved testing station, as authorised for the purpose of such inspection(s) by the Licensing Authority, before the plate is re-affixed and the vehicle returned to service. Such inspection will be at the expense of the vehicle proprietor.'*

#### **Recommendation B**

That paragraphs 14.12 to 14.14 should remain unaltered

#### **Paragraph 14.29**

This paragraph states: 'Failure to present the vehicle for inspection will result in the vehicle licence being immediately suspended'. The TPHA have requested that the section includes a timescale.

Upon consideration it makes sense that this section is clarified as the current wording may appear vague.

#### **Recommendation C:**

That paragraph 14.29 should be amended to read:

Failure to present the vehicle for inspection by the due inspection date, will result in the vehicle licence being immediately suspended until such time as the inspection has been undertaken, a satisfactory pass certificate presented to the Licensing Authority and written confirmation that the suspension has been lifted is received from the Licensing Authority.

#### **Guide Dogs for the Blind Association**

Guide Dogs provides mobility services to increase the independence of people with sight loss in the UK and campaigns to break down physical and legal barriers to enable people with sight loss to get around on their own terms. Current estimates suggest about 32,140 people with vision impairments are living in Devon, of which about 137 are guide dog owners.

The Guide dogs association have responded to the consultation making some recommendations.

- The policy should specify that all taxi and PHV drivers must undertake disability equality training, which includes information regarding the carriage of assistance dogs and their obligations under the Equality Act 2010.
- The policy should specify a medical exemption certificate for carrying assistance dogs will only be issued when authorised by a medical practitioner and accompanied by medical evidence, such as a blood test, a skin prick test or clinical history.
- Torbay Council Licensing Authority should issue medical exemption certificates that are accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'.
- The policy should state that the Torbay Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.
- The policy should state that Torbay Council Licensing Authority will use its best endeavours to investigate all reported violations of the Act in a timely manner with a view to pursuing a conviction, and that breach of the Equality Act is deemed serious and therefore will result in suspension or revocation of licence.

With regard to Disability Awareness, the Policy is already clear as to the requirements in this regard and the duties of all drivers are emphasised in paragraphs 14.21 and 14.22 of the policy, which state:

*14.16 Licensed drivers are under a duty to carry, free of charge, any guide, hearing and other assistance dogs travelling with a disabled person. Since 31 March 2004, a similar duty has applied to the drivers of licensed Private Hire vehicles. In addition, Private Hire vehicle operators will be under a duty to accept a booking made by, or on behalf of a disabled person and shall not be permitted to make an additional charge for carrying an assistance dog. Any driver (aside from those holding a Notice of Exemption), who fails to comply with this duty, could be prosecuted and may be liable to a fine not exceeding Level 3.*

*14.17 If it is brought to the attention of the Licensing Authority, by way of a complaint or any other method, that a driver breaches the duty which is outlined in Paragraphs 14.21 and 14.22 above, the Licensing Authority may, in addition to any prosecution, seek to suspend or revoke the drivers licence.*

Any report of a driver failing to comply with this duty will be taken seriously and where evidence exists this will result in being made to explain actions to a Licensing subcommittee and/or in prosecution.

A future aspiration could be to look at adding a requirement at entry level for all new drivers seeking to be licensed that they must first undertake Disability Awareness Training, however, whilst by no means demeaning the importance of this matter, there are already a number of requirements, such as Child Sexual Exploitation (CSE) Awareness training and Driving Standards Assessment, bestowed upon all new drivers. The cost to applicants therefore, of a further requirement needs to be assessed against the necessity of that requirement.

As part of the Knowledge Test, all drivers are made aware particularly of their responsibilities with regard to the Equalities Act, with the relevant sections of the Policy highlighted to them and an emphasis placed on the consequences of non-compliance. **It is therefore not recommended that Disability Awareness Training is made a requirement at this time.**

Section 5.26 of the Policy already states that only under specific circumstances will an exemption certificate be awarded. This is acknowledged and welcomed in the Association's response. They do advocate specification as to what evidence may be acceptable and in view of this it is recommended that the paragraph be amended slightly to read:

5.15 *Exemption from carrying guide, hearing and certain other assistance dogs which accompany disabled persons, can only be sought on strict medical grounds. Therefore, applicants will need to clearly demonstrate the grounds for applying this exemption by providing medical evidence to the Licensing Authority, such as a blood test, a skin prick test or clinical history and a signed letter from their registered GP and/or relevant medical specialist. All costs in obtaining this exemption shall be borne by the licensed driver.*

An embossed or raised E on exemption certificates is more of an operational rather than Policy issue. The Policy already states at 5.28 that certificates are issued and the Licensing team will therefore work with the Association to look at whether such certificates are a possibility.

It is difficult to see how test purchasing may work in reality particularly as whilst there have been some complaints, this has not proven to be a major issue in Torbay. This stated, the Licensing team will work with any complainant under the terms of its Enforcement Policy and will take very seriously any unlawful refusal under the Equalities Act. **This may include potential for test purchasing although it is not seen as necessary to add that to the Policy.**

#### **Recommendation D:**

That paragraph 5.26 of the Policy be amended as indicated above.

#### **Consultation Questionnaire Responses**

What follows below are the responses to the consultation questionnaire. These were all considered to be significant amendments to the policy and warranted individual questions and responses. Any view expressed by the TPHA has also been addressed under the relevant amendment below.

#### **Driver Knowledge and Proficiency** (5.10 to 5.20)

##### **Amendment 1:**

A new paragraph has been added at 5.14 to require a driver to appear before Licensing Committee should they receive more than 9 penalty points that are current at any one time.

#### **Question 1: How strongly do you agree with the above action being taken?**

##### **Response:**

<b>Strongly agree</b>	50	23.5%
<b>Agree</b>	98	46.0%
<b>Neither agree nor disagree</b>	24	11.3%
<b>Disagree</b>	19	8.9%
<b>Strongly disagree</b>	18	8.5%
<b>No response</b>	4	1.9%
<b>Total</b>	<b>213</b>	<b>100%</b>

In total 69.5% of respondents agreed with this proposal, with a further 11.3% being of no firm opinion.

In many cases comments were included in the text of the questionnaire, the vast majority being in support of the recommended move to require offending drivers to appear before committee. Reasons given related to passenger or public safety, driver professionalism and potential need for re-training.

Of those that disagreed, where a comment was made, these related to concerns that mitigating factors may come into play in relation to points received, that the Licensing Authority should not have stricter rules than the DVLA, concerns that a job may be lost over minor offences and one response that suggested it should be a matter for the Courts.

Clearly there is overwhelming support for requiring a driver to appear before Licensing Committee for repeat offences. The concerns raised, are ignoring the fact that as a professional driver, charged with passenger safety, there are higher standards to be expected. Any mitigating factors are considered by a Licensing Committee, with an appeal to the Courts if aggrieved by a decision.

#### **Question 1a: Do you think that 10 penalty points is the correct number?**

##### **Response:**

<b>Yes</b>	123	57.7%
<b>No</b>	45	21.1%
<b>Don't know</b>	31	14.6%
<b>No response</b>	14	6.6%
<b>Total</b>	<b>213</b>	<b>100%</b>

A total of 57.7% of respondents agree that the proposed number of penalty points is set at the correct level, with a further 14.6% being of no firm opinion. There is a mix in the comments for those believing that the level is wrong, between the level being too high or too low.

The Licensing Authority is tasked with ensuring the safety of the travelling public and is permitted in law to set reasonable conditions. Any driver that obtains more than 9 penalty points has in effect receive more than three standard motoring convictions. The majority of responses being positive to this proposal, would give credence to a view that such a level being levied against a 'professional' driver is unreasonable and should as a consequence be brought before Committee for explanation and action as may be considered appropriate in each case.

##### **Recommendation E:**

It is recommended that the agreed consultation draft Policy to require a driver to appear before Licensing Committee should they receive more than nine penalty points be retained as previously agreed.

##### **Amendment 2:**

New paragraphs added at 5.17 to 5.19 requiring a driver to undertake Child Sexual Exploitation (CSE) training. This will apply to all existing drivers by May 2019 and new drivers within 6 months of the grant of a licence.

**Question 2: Do you think the timelines proposed for CSE training are realistic?**

**Response:**

Yes	154	72.3%
No	23	10.8%
Don't know	31	14.6%
No response	5	2.3%
<b>Total</b>	<b>213</b>	<b>100%</b>

Only just over 10% of respondents considered that the timelines were not realistic. Interestingly, these are, with only a few exceptions, not against the CSE proposals. The majority of those that do not consider the timelines to be realistic, believe that the timeframe should be shorter or that it should be a prerequisite to obtaining a licence.

Consideration was initially given to a shorter timeframe or whether it could become a pre-licensing requirement to undertake a CSE course as part of consideration of the draft document. However, this is specialist training that is not widely available and therefore, it was considered appropriate to allow some time for drivers to book on and successfully undertake a relevant course.

**Recommendation F:**

It is recommended that the timeframes relating to CSE training remain at 6 months as outlined in the draft Policy.

**DVLA Driving Licence Checks** (12.1 and 12.2)

**Amendment 3:**

Licensed drivers are in a position of responsibility with regard to the safety of the passengers they convey. Whilst the majority of drivers are recognised as being safe and responsible, there are occasionally some who do not inform the Licensing Authority when endorsements are received. Therefore, it is proposed that the process of checking for traffic offences and licence endorsements by the Licensing Authority be tightened from 'where considered necessary' to 'every 6 months'.

**Question 3: How strongly do you agree with the offence and endorsement change from 'where necessary' to 'every 6 months'?**

**Response:**

Strongly agree	50	23.5%
Agree	78	36.6%
Neither agree nor disagree	49	23.0%
Disagree	24	11.3%
Strongly disagree	9	4.2%
No response	3	1.4%
<b>Total</b>	<b>213</b>	<b>100%</b>

With only 15.5% of respondents being against this proposal, there is seemingly strong support for it. Whilst the vast majority of Torbay licensed drivers are good drivers who take their responsibilities seriously, there have been a few occasions, where it has only been by checking a driver's record with the DVLA, that offences have been highlighted. It is a condition of licence that offences are reported to the Licensing Authority, however, evidence from some of these checks would indicate that in isolated cases, this does not happen.

There is a disciplinary process available for situations where a driver has failed to inform the Licensing Authority of a conviction for a motoring offence and this has been pointed out in comments from some of those that are opposed to the change. However, unless these checks are made, a considerable length of time may pass before detection and even though such cases are relatively rare, this presents potential for a risk to the public and therefore regular checks will assist in addressing this problem.

It is clear from the responses that the majority of Torbay drivers are not adverse to these checks being undertaken more frequently, albeit some are concerned that the drivers may be asked to pay for the additional checks. There is no cost to access the data base and therefore the only costs associated with this work will be officer time. As this amounts to only one extra occasion per driver per year, this cost is not significant and would be covered under existing budgets.

Of those drivers that have indicated they agree or strongly agree with the proposal (60.1% in total), many have indicated that it is necessary for public safety, with some stating that drivers would not be concerned if they have nothing to hide.

#### **Recommendation G:**

That Members' agree to the proposal for DVLA licence checks on all drivers to be undertaken every six months to be included as consulted, in the final published Policy.

#### **Conduct of Drivers** (13.1 and Appendix B)

##### **Amendment 4:**

The current Policy at paragraph 13.1 refers to **Appendix B**, which lists a number of points of advice for drivers. This has been removed and replaced with a complete new Code of Conduct. A new Code of Conduct reinforces the driver conditions to ensure that the generally high standards maintained by the majority of Torbay licensed drivers are adhered to by all.

#### **Question 4: Please tell us your thoughts on the new Code of Conduct.**

##### **Response:**

Of all the responses received, a total of 103 respondents commented in this section. This represents just over 48% of the total number of representations received.

Of the 103 comments 22 commented 'don't know' and 22 simply stated 'no' without providing any further comment as to why they are against it. This leaves 59 other comments all of which were positive, citing a need for high driver standards and the importance of professional conduct.

A few of the respondents were keen to see better enforcement of the Code. One of the issues with the 2013 Policy was that the 'rules for drivers' were more advisory and in some cases were not fully understood. Given the comments and in consideration of the assistance that the new Code will provide with regard to setting of clear rules and guidance as well as facilitating enforcement of the standards, this is seen as a positive change.

**Recommendation H:**

That the new Code of Conduct at Appendix B to the Policy be included as consulted.

**Specification and Conditions** (14.2 to 14.6)

**Amendment 5a:**

The maximum age of a licensed vehicle (once licensed) has been increased from 8 years to 10 years subject to suitability.

The Licensing Authority believes that the increase to the maximum age of vehicles reflects the improving standards of manufacture and longevity of vehicles over recent years.

**Question 5a – How strongly do you agree with the maximum age of a licensed vehicle being extended to 10 years?**

**Response:**

<b>Strongly agree</b>	103	48.4%
<b>Agree</b>	82	38.5%
<b>Neither agree nor disagree</b>	21	9.9%
<b>Disagree</b>	1	0.5%
<b>Strongly disagree</b>	3	1.4%
<b>No response</b>	3	1.4%
<b>Total</b>	<b>213</b>	<b>100%</b>

The standard and quality of all production vehicles has improved over the years as new technology has been developed. Generally 8 to 10 year old vehicles are of a higher standard today than even 5 years ago when this Policy was last revised. There is no reason to believe therefore, that a licensed vehicle, if looked after, should not have a working life beyond the 8 years currently permitted under the Policy.

The view relating to the quality of modern vehicles is reflected in the above response, where some 86.9% of respondents agree with extending the maximum permitted age to 10 years. Whilst this represents a relaxation of the rules and is not suggested for any safety reason, it is unreasonable to ask a driver to replace a perfectly good vehicle, which may come at unnecessary considerable cost.

The TPHA have responded on this point and are fully in agreement with the increase in maximum age of a vehicle from 8 years to 10 years. They have stipulated that at 14.7 (and other areas within the Policy), where this is provision to seek an extension beyond the maximum age limit for vehicles that are in 'exceptional' condition, that 'exceptional condition' should be defined. However, this is deliberately not defined as it is to some degree subjective and would depend upon the individual merits of any application to the Licensing Committee at any given time.

## Recommendation I:

It is recommended that Members agree to increase the maximum age limit of a licensed vehicle to 10 years instead of 8, as consulted.

## Amendment 5b:

The maximum age of a vehicle (when first presented for licensing) has been left at 4 years, however, the maximum mileage when first presented for licensing has been reduced from 60,000 to 50,000.

**Question 5b: Please indicate whether you agree or disagree with this change.**

Strongly agree	50	23.5%
Agree	71	33.3%
Neither agree nor disagree	32	15.0%
Disagree	26	12.2%
Strongly disagree	25	11.7%
No response	9	4.2%
<b>Total</b>	<b>213</b>	<b>100%</b>

The majority of respondents are in agreement with this alteration, albeit the support is lower than the support for the increase in permitted age, with 56.8% either in agreement or strong agreement. However, only 23.9% of those who completed the questionnaire are against the proposal, with an even split between disagree and strongly disagree.

The TPHA has indicated that they are opposed to this change, considering it to be arbitrary and as long as the vehicle is in sound mechanical condition, the mileage shouldn't matter at all. A view that is supported by 23 additional submissions of the TPHA.

The increase in permitted age for a licensed vehicle reflects improvements in longevity over recent years, however, the lowering of the maximum mileage limit at first being presented for licensing is not arbitrary as it has been suggested following careful consideration.

On average (according to statistics from the Department of Transport and RAC) a private vehicle is parked for 96% of the time with a life span of 7.8 years. The average annual mileage of a private vehicle has dropped from just under 10,000 miles in 2002 to 7,800 in 2017. This means that the average mileage of a 4 year old vehicle would be in the region of 32,000 when purchased.

A licensed vehicle covers many more miles than a private vehicle during the course of its lifetime. Whilst statistics are not as freely available with regard to 'taxi' mileage, a survey of 'taxi' drivers by Insuretaxi.com, conducted in 2016 identified a minimum average mileage of 20,000 per annum nationally, with this being significantly higher in some cases. The same survey identified the South West as being third highest of all regions nationally with an average of approximately 27,000 miles per annum.

As a vehicle ages, the deterioration in parts can bring about an increase in pollutants. This stated, with modern vehicles, the impact is becoming less and the Euro 6 standard on new vehicles is high. However, the mileage reduction will assist in ensuring that there is a very high standard at first licensing and will more than be balanced by the increase in permitted maximum age of a vehicle once licensed.

## **Recommendation J:**

It is recommended that the reduction to 50,000 miles as a maximum for all vehicles when first presented for licensing should be implemented into the revised Policy.

### **Vehicle Compliance Testing** (14.23 to 14.28)

#### **Amendment 6:**

Compliance testing has been introduced as a requirement to ensure that all vehicles are checked to include assessment of mechanical condition, compliance with licence conditions and suitability to be (or to continue to be) licensed, when first presented for licensing and at each renewal of the vehicle licence.

In addition to the annual test at renewal, each and every vehicle that has reached 8 years of age or more will be required to undergo a second compliance test, approximately 6 months from the date of renewal.

A Tendering process will be conducted to establish a contractor(s) who may be able to deliver such tests on behalf of the Licensing Authority.

#### **Question 6: How strongly do you agree with the above proposal?**

<b>Strongly agree</b>	23	10.8%
<b>Agree</b>	68	31.9%
<b>Neither agree nor disagree</b>	44	20.7%
<b>Disagree</b>	44	20.7%
<b>Strongly disagree</b>	30	14.1%
<b>No response</b>	4	1.9%
<b>Total</b>	<b>213</b>	<b>100%</b>

The response with regard to vehicle testing is more balanced with 42.7% in favour, 34.8% against and 20.7% holding no firm opinion from those that responded to the consultation questionnaire.

The TPHA have responded that they do not believe that a compliance test should be necessary if the vehicle has just had an MOT and that this is therefore a 'restrictive' and unnecessary expense.

The TPHA have also objected to paragraph 14.27 of the draft Policy, which provides that the Licensing Authority may request that a vehicle is submitted for a compliance test when there is doubt as to its suitability. This however, is currently in the 2013 Policy and as such has been included for the last 5 years. This is a safeguard to ensure public safety, where an officer who (as above stated) is not a mechanic or expert in vehicle examination, may ensure the safety of a vehicle, following an accident or major repair, for example.

Given the balance of agreement or otherwise within the consultation responses, there is understandably a balance in comments received. Of the 213 respondents to the questionnaire, some 117 comments were recorded.

Of the comments in favour, these covered matters such as 'it will ensure suitability of vehicles', 'it will maintain high standards', 'ensures the safety of passengers' and it will 'find out those that do not notify the Licensing Authority of a problem or accident'.

Those comments against, stated matters such as, 'cumbersome and time consuming', 'MOT should be sufficient', 'why change something that works and incur extra cost' and 'an exercise in flexing local government muscle to justify a locally held or individually held opinion'.

Whilst local Policy, should reflect what is necessary, rather than simply mirror national practice, Torbay, is in a vast minority of Licensing Authority areas where compliance testing is not currently standard practice. In an industry where Public Safety is the primary consideration it is essential that when licensing a vehicle, the Licensing Authority has full confidence that the vehicle is safe.

Clearly, the annual MOT provides a degree of confidence, however, as previously stated a licensed vehicle potentially covers something in the region of 4 to 5 times the national average mileage of a private/family vehicle, thus depreciation and degradation of both mechanics and body of these vehicles is accelerated. This means that the life span of an MOT is not as reliable with regard to a licensed vehicle as it would be with a private vehicle.

In addition to above, the compliance test will go above and beyond the checks made as part of the MOT, whilst it will cover all areas that an MOT covers, it will look at bodywork and other moving parts as well as checking on compliance with condition of licence etc.

It would only take one major accident, where the vehicle is found to have been faulty, for the Licensing Authority to come under scrutiny if such compliance tests are not implemented, particularly as the government's own Best Practice Guidance recognises the need for compliance testing.

Implementation of the scheme, cannot occur overnight as the criteria requires developing and a procurement process must be initiated in order to find suitable provider(s). It is therefore proposed that compliance testing as stated in the draft Policy be agreed for inclusion, however, that the implementation date is delayed until the procurement process has been completed with a view to being brought in on the 1<sup>st</sup> May 2019.

#### **Recommendation K:**

That compliance testing be introduced as outlined in the draft Policy, effective from 1<sup>st</sup> May 2019, following a procurement process and appointment of suitable test provider(s).

#### **Door Signs** (14.39 to 14.42)

#### **Amendment 7:**

It is proposed that all licensed Hackney Carriage and Private Hire Vehicles will be fitted with identifying door signs.

In the case of a Private Hire Vehicle, the door signs will contain clear indication that it is a vehicle that is licensed by Torbay i.e. the Torbay logo, the unique licence number of the vehicle and a statement to the effect that the vehicle must be pre-booked.

In the case of a Hackney Carriage vehicle, the door signs will contain clear indication that it is a vehicle that is licensed by Torbay i.e. the Torbay logo, the unique licence number of that vehicle and wording to identify it as a Hackney Carriage i.e. 'licensed Hackney Carriage'.

In all cases, door signs will be required to be permanently affixed to the vehicle on a vinyl sticker and not on magnets.

**Question 7: How strongly do you agree with the proposal to fit door signs?**

<b>Strongly agree</b>	22	10.3%
<b>Agree</b>	40	18.8%
<b>Neither agree nor disagree</b>	28	13.1%
<b>Disagree</b>	39	18.3%
<b>Strongly disagree</b>	82	38.5%
<b>No response</b>	2	0.9%
<b>Total</b>	<b>213</b>	<b>100%</b>

The response to this section of the Policy has been negative with only 29.1% of respondents to the survey being in favour of the proposal and a further 13.1% being of no opinion. In total over half of respondents (56.8%) are against door signs being required on licensed vehicles.

In total 135 of those that responded to the questionnaire have entered a comment. Comments in favour include, 'much better than having the boot and bonnet sprayed yellow', 'good idea', 'easy identification by the public' and 'it may be a way forward for public safety'. Concerns against include, 'may be a problem for resale', 'need to be removed for weddings and funerals', 'unnecessary cost, the rear plate is enough' and 'it's important for identification of a Hackney Carriage but not so important for Private Hire'. The TPHA have indicated that they believe the permanent fixing of door signs would be restrictive to trade as customers sometimes want discretion in an unmarked vehicle. They do however, accept that Torbay has an issue with people advertising 'lifts for money' on Facebook, which has been a problem from time to time. The TPHA are also concerned that vinyl stickers will damage the paintwork of the vehicles and potentially affect the resale value.

There is a clear distinction between Hackney Carriage and Private Hire Vehicles, both effectively serve different markets and are generally hired in different ways (albeit a Hackney Carriage can operate as a Private Hire Vehicle). It is true that the general public do not always understand the difference and it is therefore, planned that there should be some publicity around this. Publicity will specify the difference between vehicle types as well as clarity as to how each may be identified and hired.

Despite one of the comments in this section being to the contrary, it is potentially of greater importance that Private Hire Vehicles should be fitted with permanent door signs. This is recognised in the Department of Transport best Practice Guidance, where it states:

*'Members of the public can often confuse PHVs with taxis, failing to realise that PHVs are not available for immediate hire and that a PHV driver cannot be hailed. So it is important to distinguish between the two types of vehicle'...*

Amongst the possible approaches it lists a licence condition which requires a sign on the vehicle in a specified form, which will often be of specific shape and size, identifying the Licensing Authority and containing words such as 'pre booked only' as being examples of good practice.

At all times, but particularly late at night, there is a safeguarding issue, where it should be clearly evident that a vehicle is a Torbay licensed vehicle. PHV's do not have roof lights and look to all intents and purposes like any other car. Whilst many operators have their own logo and signage, this is not a uniform signage that will identify the vehicle as licensed by Torbay. The rear plate is not always immediately visible and better identification will therefore assist with passenger security.

It has already been determined that there are people who try to pass themselves off as a 'taxi' e.g. on Facebook and offering services for reward. This is not only illegal but is a safety risk both in terms of the vehicles and drivers being totally un-vetted. It is also unlikely that in the event of an accident these vehicles would be insured as all standard insurance policies do not permit hire or reward. Whilst efforts are made to track down these offenders, it is not easy to do unless they are witnessed picking up or carrying passengers. Education of the public through social media and the press, combined with clear door signs at all times, will assist in ensuring that there is better awareness of 'no door sign, not a legitimate licensed vehicle'.

Hackney Carriages do have roof signs and are therefore more visible and identifiable, however, whilst Torbay does not specifically have an issue at present with out of Town Taxis operating in the area, it is not out of the question that this could occur. Whilst a livery policy will assist with better identification (not relying simply on rear plate and roof light), if introduced such a policy will not be fully incorporated for some years given that it will only apply once vehicles are replaced for any reason. Aside from the roof light therefore, many Hackney Carriages (similar to Private Hire) look very much like any other car.

Concern has been raised that vinyl door stickers will damage paintwork and devalue the vehicle, however, research of potential suppliers indicates that modern vinyl if fitted correctly does not damage the vehicle and will have no lasting effects. This would be a stipulation and requirement of any supplier of Torbay door signs.

Whilst there is resistance to this being implemented it is clear that it follows best practice and is an additional safeguard affording easier identification to the travelling public and assisting officers in carrying out enforcement and compliance duties.

## **Door Sign Exemptions**

Some Private Hire Vehicles are utilised purely in the executive/high end trade, some respondents have indicated that their clients do not wish to be driven in a vehicle that looks like a Private Hire Vehicle. As with a number of other Authority areas, it is important that this is recognised and that exemption to the livery requirements for Private Hire Vehicles only, should be permitted in a small minority of cases where it can be shown that the vehicle is a) of an executive standard and b) used solely on executive and/or corporate work.

In cases where an exemption is sought, application should be made in writing to the Licensing Authority, outlining the reasons for the request and providing details of the nature of work undertaken in the specific vehicle. Exemption should only apply once the request has been determined and written confirmation has been received from the Licensing Authority.

A vehicle exemption will only be valid, if the letter of authorisation and the vehicle licence plate are carried in the vehicle and produced to any authorised officer upon request. Any failure to do so would be considered a breach of licence condition.

### **Recommendation L:**

That permanent vinyl door stickers as consulted in the draft Policy, be implemented as a requirement on both Hackney Carriage and Private Hire vehicles with effect from 1<sup>st</sup> May 2019.

### **Recommendation M:**

That a section be added to the Policy relating to Door Sign and Plate exemptions as indicated in the appropriate section above.

## **Vehicle Specification, Standards and Schedule of Conditions** (Appendix D)

### **Amendment 8:**

**Wheelchair Accessible Vehicles (WAV's):** Currently, there are no set specific criteria or conditions for these vehicles. This section has been added in order to clarify the requirements and conditions relating to WAV'S.

**Question 8: Please tell us your thoughts on the conditions proposed.**

Of the 213 questionnaires that were returned, only 78 entered comments with regard to WAV's. By assessing the comments, this is seemingly because not all drivers consider the conditions relevant as they drive standard vehicles.

Of the 78 comments, 30 simply stated 'not applicable' or no comments. The other comments considered this to be a good idea.

Particularly in light of the requirement of drivers of WAV vehicles under the Equalities Act 2010 and the fact that approximately 8% of the Torbay fleet of Hackney Carriage and Private Hire Vehicles is wheelchair accessible, it is considered essential that the duties and responsibilities in this area are clarified.

### **Recommendation N:**

Conditions relating to WAV's should be included in the final Policy as published in the draft consultation document.

## **Livery** (14.50 and Appendix D)

### **Amendment 9:**

A standard livery helps with easy identification of licensed vehicles and promotes customer confidence, as they can be recognised easily from a distance. A change is proposed to the policy to implement a standard livery for licensed vehicles. Currently there is no such policy.

The options being considered are:

- a) Both Hackney Carriage and Private Hire Vehicles to be White in colour with a contrasting vinyl wrapped boot and bonnet (in a different colour, potentially matching the plate colour of blue and red).

- b) Hackney Carriage only to be White with a contrasting vinyl wrapped boot and bonnet (in a different colour, yet to be determined) and Private Hire Vehicles and therefore a different colour, maybe Black with a contrasting vinyl wrapped boot and bonnet.

In all cases, existing licensed vehicles will be required to conform to the new policy when at any time the vehicle is replaced i.e. at the end of its 10 year life (as proposed) or sooner should the owner purchase a new vehicle.

**Question 9: Assuming that a Livery Policy is introduced as proposed, which option do you prefer a) or b)?**

<b>Option a</b>	9	4.2%
<b>Option b</b>	30	14.1%
<b>Neither</b>	150	70.4%
<b>Don't know</b>	18	8.5%
<b>No response</b>	6	2.8%
<b>Total</b>	<b>213</b>	<b>100%</b>

This area of the proposed Policy is the one area that has met with the most concern from the licensed trade. Some 70.4% of respondents opted for neither option with regard to Livery, which is enhanced by the TPHA response and the 3 separate letters of representation.

The TPHA response states:

*'We are struggling to understand why we might require this change in policy. Areas that have a livery policy generally have problems with cross border hire. Torbay doesn't have this problem. Only 30% of all Licensing Authorities have adopted a livery policy in England. These areas are generally surrounded by multiple Licensing Authorities.*

*Private Hire vehicles are not mistaken for Taxis as they do not sit on Taxi ranks. There just isn't a problem that needs solving here. Why would the Authority wish to bastardize an expensive vehicle like Mercedes, Audi, BMW or any other high end Taxi or Private Hire?*

*This change of policy would restrict the work available to everyone. Who would hire a car with this livery from the Torbay area for a wedding, funeral, executive transfer etc? This would drive people to hire vehicles from outside the area, for example, Teignbridge, or South Hams.*

*The Council recognises the need for taxis to remove their roof sign for weddings, funerals etc. There is already provision for this in the policy but what's the point if the car is ruined by livery?*

*Summer plates change from Taxis to private Hire and then back again. Taxi's and private Hire change from one to the other regularly. The switching of plates would be almost impossible financially.*

*Livery can also lead to cars being subject to break in and theft. When a car is left unattended it stands out and screams Taxi to an opportunist.*

*Whilst wrap can be removed, it may well lead to paint damage. Also over time a cars paint fades a little. When the wrap is removed the original paintwork doesn't match the uncovered. The policy would cost the operator too much. Lost revenue and extra expense'.*

Of the 213 responses via the questionnaire, 142 have commented. Many of these are against the proposal, mainly on the basis that the vehicles are used as private cars when the driver is not working and for reason of expense and devaluation of the vehicle when wrapping is removed. A number of the comments, however (33) are positive, recognising a need for livery but generally being against wrapping and 'two tone' vehicles.

Amongst the positive comments received, there are a number which state that it would achieve standardisation within the fleet, make the vehicles easier to distinguish and would set a high standard. One comment states that this should have happened years ago, whilst approximately 12 or so comments have suggested that different colours for each vehicle type would be more appropriate e.g. one uniform colour for Hackney Carriage and a different colour for Private Hire.

Some comments suggest that a livery should be applicable to Hackney Carriage but not to Private Hire. A number of responses have also suggested that black would be a better colour than white as black vehicles are easier to source as they are produced in greater numbers and generally look like 'taxis'.

It is difficult to gauge with accuracy, the degree of support for a uniform colour rather than two tone, as this was not an option that was consulted upon following the draft that was agreed by Licensing Committee in March of this year. It is however, fair to say that the consultation has indicated that there would be stronger support for a one colour requirement rather than two tone, albeit, it is likely that preference would still be against any form of livery.

### **Consideration and Proposal:**

Section 47 (2) of the Local government (Miscellaneous provisions) Act 1976 (the 1976 Act) provides that a District Council may require any Hackney Carriage licensed by them to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney carriage.

Section 48 of the 1976 Act makes provision for licensing of Private Hire vehicles, however, there is a stipulation that the 'District Council' shall not grant such licence unless they are satisfied (amongst other matters) that the vehicle is of suitable type, size and design, not of such an appearance that would lead any person to believe that the vehicle is a Hackney Carriage.

An assessment of 348 Licensing Authorities in England, Scotland, Wales and Northern Ireland that are listed on the 'Private Hire and Taxi Monthly' website indicates that 101 Authorities have a Hackney Carriage Livery Policy and only 7 have a Private Hire Livery Policy. Of the Authorities where there is a Hackney Carriage Livery, 49 of these carry a stipulation that the Private Hire vehicles in that area may not be of the same colour as the Hackney Carriages.

This assessment fits with the TPHA figure relating to the percentage of Authorities where a Livery Policy has been introduced. It is unknown however, how recent these figures are. However, it appears that whilst a number of these relate to large towns and cities, there is a mix with some of these policies applying in areas of similar size to Torbay.

Whilst section 47 of the 1976 Act permits the Council to impose a livery policy (and any other applicable features) on Hackney Carriages to which it grants a licence, it would not be considered to be good practice to do this without reason. It has been pointed out in the TPHA response that due regard should be taken of section 2.8 of the current Policy. It is therefore, important to outline the reasons behind the proposal for a livery policy.

Uniformity will only be achieved over a period of time, however, it will produce a fleet that is easily recognisable and portrays a professional image of Torbay. Moreover, it promotes customer confidence and safety, where in addition to door stickers (as above) the vehicle looks like a Hackney Carriage and reduces any risk of mistakes or 'imposter' vehicles (either unlicensed entirely or licensed by other authorities but plying unlawfully in the Torbay area) by making Hackney Carriages in particular, easier to distinguish. Currently, aside from a small plate on the rear of the vehicles and (in the case of a hackney carriage) roof signs, there is no clear distinction between the two vehicle types. Therefore this is also a factor that improves matters around safeguarding, by instilling confidence into the public that the vehicle is legitimately vetted and licensed.

Whilst not a regular occurrence, there are sporadically complaints of Private Hire Vehicles stopping on taxi ranks or parking in busy areas, which may be construed as 'ply for hire', something that only Hackney Carriages may do. This has particularly been an issue reported in the Torquay Harbourside area and if the Hackney Carriages are distinctive, this will make such offences easy to spot.

A number of drivers have suggested that the rear plate of the vehicle is removed from time to time, when the vehicle is not in use as a licensed vehicle. This is not only unlawful but creates an impossible situation with compliance testing and enforcement. The Benson v Boyce decision confirmed that once a vehicle is licensed it is always a licensed vehicle and may only be driven by the holder of the appropriate drivers licence issued by the Licensing Authority. Without the plate (or taxi sign with regard to Hackney Carriages) the vehicle is not identifiable.

There is strong concern over the proposal for two tone (wrapped) Hackney Carriage and Private Hire vehicles. These concerns relate to excess expense, restricting use as a private (family) vehicle, looks unprofessional, the proposal to make both vehicle types two tone would make them look too similar and suggestions that the wrapping is not of a good quality.

### Hackney Carriage

It is proposed that a Hackney Carriage should look like a Hackney Carriage and be clearly identifiable, assisting with safeguarding and customer confidence, whilst creating a uniform and professional looking fleet.

However, with such a strong response to this aspect of the consultation, the views of the trade members should not be ignored. Whilst it is believed that some concerns are unfounded, there are equally some legitimate points raised. Wrapping of vehicles does carry additional expense and of those that are wrapped (or sprayed) in two tone colour up and down the Country, these are generally in large Towns or in Cities, where there may be more significant local issues than in Torbay. The vast majority of the 101 liveried Hackney Carriages as identified above are one singular colour, which (whilst there are exceptions) is generally black or white.

Wrapping does have to be done correctly otherwise it will not look right and certainly would not portray a professional image. Upon consideration therefore, it is suggested that whilst a livery policy is necessary and should be introduced, the objectives of doing so would be achieved by requiring one single colour. This would not place additional cost burden onto the licence holder and will satisfy to a degree the concerns of drivers relating to private use of the vehicles, albeit there would still be the requirement that door signs and roof lights remained on the vehicle at all times.

The original proposal was for a white base colour for each vehicle, however, again in consideration of some of the comments received and following some research following those comments, the proposal is to change this to black. Black is a colour that is consistent to a large degree across different vehicle manufacturers.

In time this would provide Torbay with a smart Uniform fleet of Hackney Carriages, liveried in Black, with professional door signs, easily recognisable and providing assurance to the public that they are fully vetted and safe to use.

### Private Hire

A Private Hire Vehicle should be clearly distinguishable apart from a Hackney Carriage, this is underpinned by section 48 of the 1976 Act. In addition, the way in which these vehicles are hired is totally different to that of a Hackney Carriage. A Private Hire Vehicle must be pre booked through an operator and will generally have the name and destination address of the hirer. This in itself provides some security for the public.

Whilst a livery policy would standardise Torbay vehicles, the fact that only 7 Authorities throughout the Country (all large Towns and Cities) have a livery policy for Private Hire Vehicles, illustrates the fact that this has not generally been considered necessary for safeguarding or compliance. This has been pointed out in some of the consultation comments. Even if Hackney Carriages were required to be two tone, the same requirement for Private Hire (albeit a different colour) would not provide a clear enough distinction between the two vehicle types.

When a customer books a Private Hire Vehicle, they expect a standard saloon or MPV to arrive, they are confident as to the safety of the vehicle having telephoned a legitimate operator and having been (in some cases) provided with the vehicle details in advance.

In view of this and under the assumption that the vehicle is permanently fitted with door signs that state that a pre-booking is required there are no concerns to be addressed with design of appearance of a Private Hire Vehicle, save for it must not look like a Hackney Carriage. The proposal relating the Private Hire therefore, is that the new Policy does not require a specific livery for them, they may be of any colour, however, not Black. This will ensure that with publicity, the public are aware of the distinction i.e. Black with door sticker, roof light and blue plate it is a Hackney Carriage; A vehicle of any colour other than black with door sticker and red plate is a Private Hire.

### **Recommendation O:**

**That the Policy is amended to remove the requirement for any Hackney Carriage or Private Hire Vehicle to be wrapped in contrasting colours, that Hackney Carriages should be required to be in manufactures black only and that Private Hire Vehicles may be of any colour other than Black. That this condition comes into force immediately in all cases for newly licensed vehicles and will apply to existing licensed vehicles at point of replacement of the vehicle whenever that may be.**

### Engine Size and Type (Appendix D)

#### Amendment 10:

Updated to take account of advances in engineering over recent years and to make allowance for greener and less polluting vehicles. It is recognised that Cubic Capacity (CC) is not a measure that fits all vehicle types e.g. electric. This change recognises that smaller engines now have great power output and establishes a measure of engine/motor size that is universal across vehicle types.

This change paves the way for introduction of greener vehicles e.g. electric and hybrid, which are encouraged by the Licensing Authority.

Reference to Cubic Capacity (CC) has been removed and replaced with a minimum standard of Brake Horse Power (BHP) set at 103 BHP. Modern vehicles are able to achieve greater output at lower CC than has historically be the case, which means that a measure of CC is to some extent outdated. BHP is a good measure of vehicle power and may also be ascertained in relation to electric vehicles, which are measure in Kilowatts (KW) rather than CC. There is a calculation available to convert KW to BHP and this therefore makes sense and provides clarity for vehicle owners, whilst maintaining a minimum standard of vehicle power.

**Question 10a: Do you agree with the above change?**

<b>Yes</b>	123	57.7%
<b>No</b>	10	4.7%
<b>Don't Know</b>	77	36.2%
<b>No Response</b>	3	1.4%
<b>Total</b>	<b>213</b>	<b>100%</b>

The standard of 103 BHP is also set in respect of fully electric and hybrid vehicles.

**Question 10b: Do you agree with the above change in respect of fully electric and hybrid vehicles?**

<b>Yes</b>	107	50.2%
<b>No</b>	7	3.3%
<b>Don't Know</b>	81	38.0%
<b>No Response</b>	18	8.5%
<b>Total</b>	<b>213</b>	<b>100%</b>

The current measure of 1400CC has proven restrictive to the trade over recent years following development of leaner and more economical engines, which can produce higher powers at lower engine capacities. This is a change that benefits the trade, both with regard to a wider availability of vehicles and ability to purchase vehicles that are more economical and less polluting to run. This is reflected in the above responses where only 4.7% of respondents disagree with the change generally and only 3.3% disagreeing with regard to electric and hybrid vehicles.

**Recommendation P:**

That this amendment with regard to all vehicle types be agreed as consulted upon in the draft Policy.

## CCTV (Appendix K)

### **Amendment 11:**

CCTV use is expanding nationally, with a number of drivers installing systems for security reasons. The Licensing Authority does not intend to require the use of such systems, nor does it intend to prohibit their use. The choice is therefore left to individual drivers and vehicle proprietors.

It is important however, that any CCTV installation is fitted and operated in line with government regulation, being fully compliant with data protection rules. The surveillance commissioner has established protocols and guidance to govern use of CCTV systems, this appendix is drawn from that and is intended to become an operating condition in respect of any use by a driver or proprietor of a CCTV system.

### **Question 11: How strongly do you agree with the Licensing Authority's stance on CCTV usage?**

<b>Strongly agree</b>	29	13.6%
<b>Agree</b>	89	41.8%
<b>Neither agree nor disagree</b>	71	33.3%
<b>Disagree</b>	10	4.7%
<b>Strongly disagree</b>	5	2.3%
<b>No response</b>	9	4.2%
<b>Total</b>	<b>213</b>	<b>100%</b>

55.4% of respondents agree with the change and another 33.3% gave no firm opinion. If the Licensing Authority were to require CCTV in vehicles it is then the Licensing Authority that would become the data controller. This would be totally impractical given the total number of vehicles (in excess of 450) licensed by this Authority.

Whilst it is not proposed that CCTV should become a requirement, the Licensing Authority should not restrict use of such a system by any driver or operator that wishes to install one in their vehicle. These are a crime deterrent and provide evidence to assist drivers or passengers where there is accusation of a crime or disorder within the vehicle.

In using a CCTV system, drivers and operators need to understand the law and have a duty to comply with strict data protection protocol. This addition to the Policy provides the necessary information and guidance to allow lawful and safe use of CCTV systems.

### **Recommendation Q:**

That the CCTV information as contained in the consultation document be included in the final published Policy.



# **TORBAY LICENSED** **TAXI AND PRIVATE** **HIRE ASSOCIATION**

## **RESPONSE TO DRAFT HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY**

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**PRESENTED ON BEHALF OF OUR MEMBERS AND OTHER  
INTERESTED PARTIES**

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**2.6 To Encourage Environmental Sustainability: Investigate alternative fuels and conversion systems; Investigate the potential for providing an environmental levy or reducing licence fees for cleaner vehicles; Involve Taxi Trade in identifying ways to reduce vehicle emissions; Consideration of suitability of vehicles that are unable to comply with Euro Technology (or equivalent standard) requirements.**

**At present Emissions are at Euro 6 on all new cars. This is set out in European legislation. Tiered licensing charges would not be appropriate. Would the authority be wanting a higher standard than legislation applies?**

**2.8 The Licensing Authority is aware that applying licensing requirements which are unduly stringent may unreasonably restrict the supply of taxi and Private Hire services, and can lead to negative safety implications. Therefore, the Licensing Authority has considered each of its licensing requirements in relation to the proportion of risk it aims to address.**

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**This section should be taken notice of. We believe some of the proposals would be “restrictive”, by way of introducing extra expenses, limiting the ability to obtain work and reducing income.**

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**14.6 The age of a vehicle is taken from the date of the first registration in the vehicle registration document and applies to both Hackney Carriage and Private Hire Vehicles. The details of the vehicle age Policy are: Application Type Maximum Age of Vehicle Initial (first)**

**Application (all vehicle types) 4 Years AND Less than 50,000 miles  
Renewal Application (for vehicles already licensed) Up to 10 Years**

**Whilst we support cars being licensed for up to ten years, why has the maximum mileage been reduced? 50000 miles is arbitrary. If a car meets all other criteria then the mileage shouldn't matter at all. We understand a vehicle needs to be mechanically sound and we don't believe any driver would want to buy a car that wasn't.**

**14.7 Once licensed, vehicles which are deemed to be in exceptional condition at the end of the maximum age limit can apply to the Licensing Authority for an annual extension. The Licensing Committee will determine whether the vehicle is suitable for an extension, however all applications must be made 6 months prior to the expiration of the annual licence.**

**“Exceptional Condition” would need defining.**

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**14.12 The vehicle will be inspected by an Authorised Officer and a decision made as to whether or not the vehicle is in such condition to continue in service.**

**14.13 If any damage to the vehicle is such that the Authorised Officer considers it to be in a safe condition to continue in service, the vehicle shall be permitted to remain in continued service but the identified repairs must be undertaken within a maximum of 28 days of the damage occurring. Failure to do so may result in the vehicle licence being suspended until such time that the permanent repairs have been undertaken.**

**14.14 If any damage is considered by an Authorised Officer to be extensive enough to affect the safety or general appearance of the vehicle, the vehicle plate shall be removed and the proprietor of that vehicle shall immediately remove the vehicle from service. The vehicle must be repaired and may be required to undergo a full vehicle examination at the/an approved testing station, as authorised for the purpose of such inspection(s) by the Licensing Authority, before the plate is reaffixed and the vehicle returned to service. Such inspection will be at the expense of the vehicle proprietor.**

**If an authorised officer can deem a vehicle unfit for service, surely the same officer can deem it fit. The need for an approved testing station seems unnecessary and would be another expense/burden on the proprietor. Visual inspections have been performed by licensing officers for years and the expense has never been borne by the proprietor.**

**14.23 Any Hackney Carriage or Private Hire vehicle being first presented for licensing, must be no older than 4 years (taken from date of first registration) and must not have more than 50,000 miles showing on the odometer. Any such vehicle shall be required to be presented for licensing with a valid MOT certificate in all cases where the vehicle is 12 months or more past the date of first registration. In addition the vehicle must be presented for testing at the/a Licensing Authority approved vehicle testing station and will only be licensed once it has satisfactorily passed a vehicle compliance test. The compliance test will be at the expense of the proprietor.**

**As said before, 50000 miles is arbitrary.**

**There is no need for a test at a testing station if the vehicle has just had an MOT issued.**

**Historically Cars were presented to an officer on first registration, inspected and then issued with a plate. This was always covered in the licensing fees.**

**14.24 Any Hackney Carriage or Private Hire vehicle being presented for renewal of the vehicle licence must be no older than 9 years from date of first registration and will be permitted to remain licensed up to a maximum age of 10 years. Once a vehicle reaches 10 years of age from the date of first registration, it will be required to be replaced.**

**Unless it's of "exceptional condition", which still needs defining.**

**14.25 All vehicles presented for renewal must hold a valid MOT certificate. In addition the vehicle will be required to be presented for testing at the/a Licensing Authority approved vehicle testing station and will only be renewed once it has satisfactorily passed a vehicle compliance test. The compliance test will be at the expense of the proprietor.**

**See 14.23**

**Another "restrictive" unnecessary expense.**

**14.27 The Licensing Authority may request, at any time when there is doubt as to the suitability or condition of a licensed vehicle, that the vehicle licence holder takes the vehicle to the/a approved testing station, as determined by the Licensing Authority, for a vehicle inspection. The costs associated with the inspection, will be met by the proprietor.**

**If the L.A. Can't decide if a car is suitable or not we are in trouble! The use of a testing station seems very muddled, sometimes the L.A can decide and sometimes it can't. If the L.A. decides to send a vehicle for a test and the vehicle passes the L.A. should bear the costs.**

**14.29 Failure to present the vehicle for inspection will result in the vehicle licence being immediately suspended.**

**What would be the time scale?**

**14.39 A licensed Hackney Carriage or Private Hire vehicle may only be operated by the holder of a Torbay Council dual Hackney Carriage and Private Hire drivers' licence. The affixing permanently of door signs provides clarity and confidence for the public by ensuring that the vehicle is identifiable as a licensed vehicle at all times.**

**14.40 All Private Hire vehicles shall be fitted with Licensing Authority door signs, which must be affixed to the front doors of the vehicle and must be by way of vinyl stickers and not be magnetic. The door sign will be contain Torbay Council identification, the licence number of the vehicle and a statement to the effect of "Private Hire Vehicle - Pre Booked Fares Only".**

**14.41 All Hackney Carriage vehicles shall be fitted with Licensing Authority door signs, which must be affixed to the front doors of the vehicle and must be by way of vinyl stickers and not be magnetic. The door sign will contain Torbay Council identification, the licence number of the vehicle and a statement to the effect of "Licensed Hackney Carriage Vehicle".**

**14.42 If a licensed driver is witnessed by an Officer of the Licensing Authority driving a licensed vehicle without the use of Licensing Authority approved door signs being attached to that vehicle, the vehicle licence will be immediately suspended until the door signs are in place. If the same vehicle is found to repeat this conduct within a 6 month period of any such warning this may result in a report being submitted to Licensing Committee for consideration as to suspension or, in repeated cases, revocation of the vehicle and/or Torbay drivers' licence.**

**Permanent identification on vehicles would be restrictive to trade. Customers often want discretion and require an unmarked vehicle. Whilst Hackney Carriages work off the rank they also do the same work as private hire vehicles. Both need to be available for weddings, funerals, executive transfers e.t.c.**

**Taxis are already distinguishable by their roof sign and private hire by their door signs.**

**Torbay has no problem with rogue Taxis so this policy has no bearing upon this. Although we do have a problem with youngsters offering "lifts for money", generally via Facebook. We are not aware of any enforcement in this area.**

**Vinyl stickers can damage paint work and once removed the paint may have faded around the sign leaving a two tone paint job. This would affect the resale value at the end of use.**

**15.3 All vehicles presented for licensing for the first time shall be subject to a vehicle compliance test.**

**This has always been done by licensing officers.**

**Another restrictive expense when an M.O.T. has already been passed.**

**15.4 All vehicles presented for licensing for the first time shall be under 4 years old and have a current mileage of less than 50,000 miles.**

**Arbitrary.**

#### **APPENDIX D Livery Policy •**

**All new or replacement vehicles presented for licensing as a Hackney Carriage vehicle on or from (Date to be Determined) must be white in colour with the exterior bonnet and boot/tailgate wrapped in 3M Scotchcal vinyl to the colour specification of (to be determined following consultation) •**

**All new or replacement vehicles presented for licensing as a Private Hire vehicle on or from (Date to be Determined) must be black in colour with the exterior bonnet and boot/tailgate wrapped in 3M Scotchcal vinyl to the colour specification of (to be determined following consultation)**

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**We are struggling to understand why we might require this change in policy. Areas that have a livery policy generally have problems with cross border hire. Torbay doesn't have this problem.**

**Only 30% of all licensing authorities have adopted a livery policy in England. These areas are generally surrounded by multiple licensing authorities.**

**Private hire vehicles are not mistaken for Taxis as they dont sit on Taxi ranks.**

**There just isn't a problem that needs solving here.**

**Why would the Authority wish to Bastardize an expensive vehicle like Mercedes, Audi, BMW or any other high end Taxi or Private Hire?**

**This change of policy would restrict the work available to everyone. Who would hire a car with this livery from the Torbay area for a wedding, funeral, executive transfer etc? This would drive people to hire vehicles from outside the area. For example, Teignbridge or the South Hams.**

**The council recognises the need for taxis to remove the roof sign for weddings, funerals etc. There is already provision for this in its policy but what's the point if the car is ruined by livery.**

**Summer plates change from Taxis to Private hires and back again.**

**Taxis and P.H change from one to the other regularly.**

**The switching of plates would be almost impossible financially.**

**Livery can also lead to cars being subject to break ins and theft.**

**When a car is left unattended it stands out and screams Taxi to an opportunist.**

**Whilst a wrap can be removed it may well lead to paint damage. Also, over time a cars paint fades a little. When the wrap is removed the original paintwork doesn't match the uncovered.**

**This policy would cost the operator too much!**

**Lost revenue and extra expense.**

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## **Doors**

**Vehicles generally must have at least 4 doors, excluding any tailgate, each allowing direct access to and from the seats.**

**This policy would be restrictive in practice. We believe the result would be the prohibition of any multi seat vehicle where a seat has to be moved to gain access to the rear seating.**

**Why has this policy been introduced? If it's for safety, we're sure the manufacturers wouldn't be allowed to sell something unsafe.**

**These vehicles are sold into the Taxi/PH trade across the country by companies such as Cab Direct or Taxis Direct in their tens of thousands.**

**If this policy were put in place the added cost to purchase a multi seat vehicle would be at least £10,000. Drivers would not be able to pay this and would lose revenue. Once again work like school contracts transfers etc would go out of the area to an Authority that does have these vehicles.**

**Paying for one Taxi instead of two is much more economical for the customer.**

**This article published in the Private Hire and Taxi Monthly shows how Councils are reversing their decision on this outdated policy:**

**MONMOUTHSHIRE:**

**'RESTRICTIVE' POLICY IS OVERTURNED**

**Taxi drivers in Monmouthshire are celebrating after a council policy restricting the number of seats allowed in a vehicle was overturned. According to the Abergavenny Chronicle, under the policy, taxis with eight passenger seats were only allowed if one seat was removed to allow access to a door. This meant taxis with eight seats including one folding seat were not allowed. The policy was implemented for safety reasons with the view that passengers had a greater chance of escape if they did not have to climb over a seat to exit the vehicle. But it made it increasingly difficult for taxi drivers across Monmouthshire to purchase reasonably priced vehicles. It also saw them struggle to compete for contracts for eight-seater taxis with neighbouring authorities who now have different policies in place. When Monmouthshire County Council first adopted the policy in 2002, it was also followed by most other authorities in Wales. However, new**

**guidance from the Department for Transport in 2010 ruled the policy may be 'restrictive.' Safety features on vehicles have also been improved in recent years, leading to many councils now changing their policy. Monmouthshire County Council's licensing and regulatory committee heard last month that the vast majority of taxi drivers had asked for the policy to be changed. At a transport consultation event, 20 drivers called for the policy to be changed, with just one saying it should stay the same. Therefore Councillors voted to change the policy.**

**Mmmm... Hoorah! A council where the trade won't have to go through the unnecessary angst, expense and annoyance of Committee hearings and court cases because their licensing authority listened to them. Wonderful! Thank you Monmouthshire!! – Ed.**

**Source, PHTM July 2018**

**Roof signs [applicable to Hackney Carriage Vehicles only]**

**The roof sign may be removed while the vehicle is being used in connection with a funeral or a wedding.**

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**This recognises the need for unmarked cars at certain times. A livery would make this impossible.**

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Date: 9<sup>th</sup> August 2018

[REDACTED]

[REDACTED]

**Subject:** New implementation on Torbay taxis

To whom may concern,

I would like to express my concern regarding the livery on the cars as the association has stated.

Customers in the Bay recognise a Hackney Torbay Taxi sign by the plate and the taxi sign. I believe there is no danger of the public getting in a bogus taxi in Torbay as we have never heard of one.

There haven't been any problems with taxis from other areas taking valuable trade in Torbay or taxis from Torbay doing likewise.

To add signs on the side of the car and different coloured bonnets is costly and devalues the car, and to be honest there are some very nice cars on the ranks, therefore you should understand why their owners don't want to do this, and top of it, to pay for it.

I understand one colour taxis in big cities where there are lots of busy public places and big crowds, it is usual in those places to get flag-downs, however not in Torbay. I cannot remember the last time I was flagged down.

I consider on the livery note that when I need to change my car, it would become extremely difficult to sell or exchange with a two toned colour scheme or faded doors because of door signs, this worries me when the car is on public roads, even for private use as every opportunist out there will know it is a taxi and think: money float, sat nav, camera, etc. Even if we are very careful.

When I use my car for private use, eg: going up the country to visit friends and family or on holiday I always take the plate off and feel happy when the car is parked in public areas.

I take pride in my car, it is always clean, it wasn't cheap and I consider it my office. Not everyone can afford the run of two cars and I don't feel happy to use my car for private use shouting 'Taxi'.

There are a lot of top the range taxis that are expensive and why for one minute would you want a different bonnet or roof colour to the rest of the car, I seriously ask you to not implicate this for the reasons I have stated.

On the MOT and age of cars I think the standard of cars in the bay is very good and a lot better than other places I have been to.

And I, like lots of other taxi drivers use the same garage for MOTs services and repairs as they know the car and its history.

Yours sincerely,

[REDACTED]

**O'Shea, Gary**

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**From:** Licensing  
**Sent:** 30 August 2018 08:55  
**To:** O'Shea, Gary; Cox, Steve  
**Subject:** FW: Consultation Response  
**Attachments:** TORBAY LICENSED TAXI AND PRIVATE HIRE ASSOCIATION.pdf

**From:** [REDACTED]  
**Sent:** 29 August 2018 20:11  
**To:** Licensing <Licensing@torbay.gov.uk>  
**Subject:** Consultation Response



Dear Licensing please find attached a copy of the response from the Taxi Association. Whilst at present I am not a member of the association I totally agree with their response.

I would also like to add:

A combination of current policy and the pride of the majority of operators/drivers take in the condition/appearance of their vehicles resulting in Torbay having one of the finest fleets of Hackney Carriage and Private Hire vehicles not just in Devon but nationally, why jeopardise this with these unneeded and not necessary changes? If it is not broken leave it alone? In the foreword to the draught document it states that the reason for proposing the changes within is to help the general public understand and educate them in the difference between Hackney and private hire vehicles yet there is no provision in this consultation to complete this statement with respect to all parties the general public do not give a hoot about? Irrespective of what changes may or may not take place they will still pick up the phone and ask to book a "TAXI" whether they are phoning a Hackney or Private hire firm? Nothing will change this mind set> As long as the vehicle turns up on the agreed time and meeting place and transports them to there destination it would not matter if the car was blue,black,green or yellow? Hackney or private hire they got what they asked for a "TAXI" job done.

There is certainly no need to change something that has worked for the last 20 plus years? Hackneys have a blue plate on the rear number plate a sign in the front windscreen and more noticeable a TAXI ROOF SIGN, a private hire has a red plate on the rear number plate a sign in the front windscreen and a door sign on each door stating the fact that this vehicle is a private hire vehicle for advanced bookings only? Surely this is clear and effective enough? If I can drive down the street and little children shout out TAXI,TAXI then I rest my case!! Also a question must be raised as to why the biggest private hire firm in the bay is allowed to be called TORBAY TAXIS!!! Even some of the drivers of this company believe they are taxi drivers when indeed they are not? Maybe educating the public by advertising the difference would be a more suitable financial option? Even the Herald Express when something happens within the trade calls private hire "TAXI", unbelievable really? This does need sorting. Surely this would help educate the public?

To bring in the proposed livery change with vinyl stickers and wrapping would not only bear more cost on the trade but would have a drastic not needed adverse effect on the appearance of our fleet of hackney and private hire vehicles. Day trippers , holiday makers and indeed locals always comment on how good our vehicles are kept and there appearance in the Bay. Even taxi drivers from other area's comment on how good the fleet look? If the changes go through who in there right mind will spend tens of thousands of pounds on a new vehicle for it to be bastardised ? We would loose all our VIP,weddings,funeral and other private work. I for one would not buy another new vehicle but probably the bare minimum thus letting our high standards fall by the way side? Surely other options must be explored.

I can't believe that it is up to one man who has come down from a big city trying to bring his ideas with him, which will never work in the Bay. Who has not got any geographical knowledge nor idea of how the taxi industry works in the bay? Is able to have a drastic effect on all our lively hoods let alone all the extra financial burden to the trade. A person who most of the trade has never met and one who will not answer any of our questions? I thought the licensing officers and the local taxi trade were supposed to work together or at least talk about things? How would he feel if we the trade could effect his lively hood?

I am a great believer in changes for the good and moving with the times, but this is not needed one little bit?

Kind Regards



Sent from Outlook

30 AUG 2018

TO

COMMUNITY SAFETY FROM.

LICENSING TEAM  
TORBAY COUNCIL  
TOWN HALL  
CASTLE CIRCUS  
TORQUAY TQ1 3DR.

27 AUGUST 2018.

DEAR SIR,

ALTHOUGH I AM NOT A MEMBER OF THE ASSOCIATION, I HAVE READ THROUGH THE RESPONSE DOCUMENT TO TORBAY COUNCIL.

I AM ABSOLUTELY HORRIFIED AS TO WHAT THE COUNCIL WANT TO DO AND STRONGLY OPPOSE ALL THE CHANGES WANTED.

I HAVE, GETTING IN MY TAXI FROM ALL OVER THE COUNTRY, PEOPLE SAYING HOW CLEAN OUR CARS ARE AND HOW HELPFUL WE ARE, THEY CERTAINLY RECOGNISE US AS TAXIS,

OBVIOUSLY THERE ARE ONE OR TWO EXCEPTIONS BUT YOU GET THAT IN ALL WALKS OF LIFE. TO ENFORCE THESE CHANGES WOULD PUT AN INTOLERABLE EXPENSE BURDEN ON A LOT OF DRIVERS TO THE EXTENT THAT SOME OF THEM COULD EVEN BE FORCED OUT OF WORK, AND IF THAT IS THE CASE, THE CHANGES SMACK OF GOING AGAINST PEOPLES HUMAN RIGHTS.

CNTD.

IT SEEMS TO ME THAT SOMEBODY ON THE COUNCIL IS TRYING TO MAKE A NAME FOR THEMSELVES, WELL IT WILL NOT END UP A VERY GOOD NAME.

I WILL ALSO BE CONSULTING OUR LOCAL M.P. KEVIN FOSTER FOR I HAVE ONE OR TWO QUESTIONS TO ASK HIM ABOUT THIS SUBJECT. LASTLY I AM A GREAT BEIVER IN,

" IF ITT AIN'T BROKE

DON'T FIX IT "

YOURS SINCERELY

[REDACTED]

[REDACTED]

### **Guide Dogs response to Torbay Council's Hackney Carriage and Private Hire Licensing Policy**

**29/08/18**

#### **Summary**

Guide Dogs provides mobility services to increase the independence of people with sight loss in the UK. Alongside our mobility work we campaign to break down physical and legal barriers to enable people with sight loss to get around on their own terms. Current estimates suggest about 32,140 people with vision impairments are living in Devon, of which about 137 are guide dog owners.

Taxis and private hire vehicles (PHVs) and the door to door service they provide are essential to the independence of blind and partially sighted people, who are often unable to drive or use public transport. However, accessing taxis and PHVs can be a major challenge for assistance dog owners: a Guide Dogs survey found that 42% of assistance dog owners were refused by a taxi or PHV driver in a one-year period because of their dog – despite this being a criminal offence under the Equality Act 2010. Such access refusals can have a significant impact on assistance dog owners' lives, leading to feelings of anger and embarrassment and a loss of confidence and independence.

Key recommendations:

- The policy should specify that all taxi and PHV drivers must undertake disability equality training, which includes information regarding the carriage of assistance dogs and their obligations under the Equality Act 2010.
- The policy should specify a medical exemption certificate for carrying assistance dogs will only be issued when authorised by a medical practitioner and accompanied by medical evidence, such as a blood test, a skin prick test or clinical history.
- Torbay Council Licensing Authority should issue medical exemption certificates that are accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'.
- The policy should state that the Torbay Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.
- The policy should state that Torbay Council Licensing Authority will use its best endeavours to investigate all reported violations of the Act in a timely manner with a view to pursuing a conviction, and that breach of

the Equality Act is deemed serious and therefore will result in suspension or revocation of licence.

### **Disability equality training**

To help reduce the number of access refusals, it is important that drivers know their legal obligations and how to best offer assistance to their customers with vision impairments, including those travelling with a guide dog. We therefore recommend that all drivers undertake disability equality training when obtaining their licence.

Disability equality training for all taxi and PHV drivers has also been recommended by the Transport Select Committee,<sup>1</sup> the Law Commission<sup>2</sup> and the House of Lords Disability and the Equality Act 2010 Committee<sup>3</sup>. Further, the Government has recently committed 'to consult on revised best practice guidance for local licensing authorities which will recommend that authorities require drivers to complete disability awareness training' and 'would urge the remainder [of local licensing authorities] to take action now, using their existing licensing powers, to ensure that every driver receives it'.<sup>4</sup>

We welcome the introduction of mandatory safeguarding training in order to promote the welfare of service users. We also note that the policy under paragraph 5.20 reserves the right for the Licensing Authority to require specific training where 'deemed appropriate' including disability awareness and advise that this is strengthened to mandatory. This could be done by including disability equality training on the list of requirements under paragraph 5.4. Mandatory disability equality training will also help ensure that the provision under paragraph 14.16, which states that Torbay Council Licensing Authority is committed to ensuring disabled people are not discriminated against or treated less favourably, will be met.

Drivers who refuse to carry an assistance dog are committing a criminal offence under the Equality Act 2010. A Guide Dogs survey found that many taxi drivers are unaware of their legal obligations and the impact refusals have on assistance dog owners. The best way to address this is through disability equality training for all taxi and PHV drivers.

The consequences of delayed travel combined with the emotional impact of facing discrimination and confrontation when trying to carry out everyday activities take a significant toll on assistance dog owners. Apart from feelings of anger and embarrassment, refusals can undermine the independence that assistance dogs bring to their owners. Assistance dog owners also

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<sup>1</sup> Transport Select Committee, [Access to Transport for Disabled People](#), 2013.

<sup>2</sup> Law Commission, [Taxi and Private Hire Services](#), Law Com No 347, May 2014, 4.102.

<sup>3</sup> House of Lords, Select Committee on the Equality Act 2010 and Disability, [The Equality Act 2010: the impact on disabled people](#), para. 480.

<sup>4</sup> House of Commons, [Taxis: Equality](#), 28 March 2018, c134057 WS.

reported that the stress of refusals has had a detrimental impact on their mental health and on whether they feel able to leave the house. This also has a negative impact on their ability to access work and other opportunities. As guide dog owners report:

- “Each refusal is crushing, confidence shattering, rejecting, and traumatic. I always feel that I don't want to go out after - but work dictates I must.” Guide dog owner, Stevenage
- “I was left on my own at the side of the road in the dark. I am deaf and unable to phone for help and it made me feel very vulnerable. It makes me feel afraid to go out.” Assistance dog owner
- “I was very upset, it was dark, raining and 10pm at night. I was scared. I avoid evening invites, as I worry about getting home. I lose out on the chance of socialising with friends, which is bad, as I have no family.” Guide dog owner, Rochester
- “I used to have a very tough two-hour commute to work. The taxi part of the journey was the shortest bit travel wise, but it always ended up being the bit that held me up the most because I was having to spend time facing drivers who wouldn't take me with my dog. ... It's good that my contract was flexi hours otherwise I'm sure I would have been sacked for being late all the time – it happened so often.” Guide dog owner, Daventry

Disability equality training focuses on the concept of people being disabled by society's barriers and attitudes. It highlights the role an organisation and individuals play in the removal of those barriers, while also including awareness elements such as customer care, etiquette and appropriate communication.

Many of the positive experiences disabled people report when using taxis and PHVs come about following disability equality training. Councils that have introduced disability equality training report very positive results with fewer refusals and drivers feeling more confident in assisting passengers with disabilities.

### **Medical Exemption Certificates**

We welcome the specification in paragraph 5.26 that 'strict medical grounds' are necessary to be exempt from carrying assistance dogs, and that medical evidence and a signed letter from their GP is required. We advise specifying that the medical evidence demonstrates the driver's genuine medical condition that is aggravated by exposure to dogs, such as a blood test, a skin prick test or clinical history.

We also welcome the provision in paragraph 5.28 that the Notice of Exemption and 2 window stickers must be displayed at all times otherwise this will invalidate the exemption. We recommend that in addition to the Notice

of Exemption, licensing authorities issue exemption certificates that are accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E'. This is because it is often difficult for vision-impaired passengers to identify the validity of exemption certificates. Guide Dogs would be happy to supply Torbay Council with tactile exemption cards.

### **Highlighting obligations under Equality Act 2010 in respect of Assistance Dogs**

We welcome the provision in paragraph 14.21 of the policy which specifies that drivers are under a duty to carry, free of charge, any assistance dog. We recommend including here that this is a legal requirement under the Equality Act 2010, as included in paragraph 14.18 of the policy in respect to wheelchair accessible vehicles.

### **Enforcement**

While our survey shows that 42% of assistance dog owners have been refused over a one-year period, many of these incidents are not reported. Indeed, only 54% of respondents said they would 'definitely' or 'very likely' report an access refusal. In part, the underreporting is due to challenges of reporting, especially for people with sight loss. However, it is also due to disappointment at the lack of action taken following an access refusal and the low fines issued.

Considering the significant impact an access refusal can have on assistance dog owners and their communities, it is important that assistance dog owners know that all cases of access refusals are viewed very seriously and are investigated.

We welcome the policy in paragraph 14.22 stating that if a driver breaches the duty to carry an assistance dog that the Licensing Authority may, in addition to prosecution, seek to suspend or revoke the drivers licence. We recommend that this is strengthened: as failure to carry an assistance dog is a criminal offence, we recommend a zero-tolerance approach to enforcement of the Equality Act. We therefore recommend clearly stating that Torbay Council Licensing Authority will use its best endeavours to investigate all reported violations of the Act in a timely manner, with a view to pursuing a conviction and state that breach of the Equality Act is deemed serious and therefore will result in suspension or revocation of licence.

We also recommend that the policy should state that the Torbay Council Licensing Authority will work together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases to ensure that licensing requirements are being complied with.

Further, in addition to “racially aggravated offences” being included in paragraph 3.4 of the annex as one of the offences that usually bar a person from obtaining a licence if they have been convicted in the past ten years, we recommend that disability hate crime also be included.

**For more information, please contact Public Affairs Officer Katherine Copperthwaite on [katherine.copperthwaite@guidedogs.org.uk](mailto:katherine.copperthwaite@guidedogs.org.uk) or 0118 983 8121.**



Report No: Public Agenda Item: **Yes**

Title: **Results of Unmet Demand Study of Taxis in Torbay 2018**

Wards Affected: **All**

To: **Licensing Committee** On: **1 November 2018**

Key Decision: **Yes**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Gary O'Shea**  
Telephone: **01803 208025**  
E.mail: **Gary.oshea@torbay.gov.uk**

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## **1. What we are trying to achieve**

- 1.1 This report details the outcome of an Unmet Demand Study commissioned by Torbay Council in response to the guidance issued by the Department for Transport. This guidance states that a quantity control study of unmet taxi demand should be undertaken approximately every three years.
- 1.2 Members are asked to consider the recommendations contained within the consultants report in respect of quantity control and to make a decision whether the current quantitative (numerical) limit on Hackney Carriages in Torbay as outlined in this report should be retained.

## **2. Recommendation(s) for decision**

- 2.1 That the Licensing Committee agrees that Torbay Council should maintain the current quantitative limit of Hackney Carriage licences at 162 full time licences, with 7 additional summer (seasonal) only licences at this present time.
- 2.2 That the Licensing Committee agrees to a further report being brought to them within 6 to 12 months following full consideration of the impacts of the study relating to future unmet demand and pollutant vehicles, in order to present proposals relating to increasing or deregulating the quantitative limit in the future.
- 2.3 That the current vacant summer licence should remain unallocated pending the outcome of the report as highlighted in paragraph 2.2

### 3. Key points and reasons for recommendations

- 3.1 In June 2004 the Department for Transport (DfT) wrote to all Local Authorities who had a quantitative limit on the number of Hackney Carriage licences it issued to require them to review this restriction and publish an outcome by 31<sup>st</sup> March 2005. Torbay Council conducted a thorough review, following which, it retained the numerical limit of 162 Hackney Carriage licences (plus 7 summer licences).
- 3.2 In the June 2004 DfT letter, it required that where a Council continues with its Quantity Control Policy (restricted numbers of Hackney Carriages) there is an additional requirement for a review of its Policy approximately every three years, in order to be satisfied that there is no significant unmet demand for Hackney Carriage services. In order to meet this requirement, further studies were carried out in 2007, 2011 and in 2014. In all cases, Torbay Council agreed to retain the numerical limit.
- 3.3 In order to comply with the three yearly requirement, Torbay Council engaged the services of a company called CTS Traffic and Transportation Services Ltd to undertake a further Unmet Demand Study (the Study). This Study commenced in April of this year and included 300 hours of rank observations, 212 on street interviews, a questionnaire sent to all Hackney Carriage and Private Hire drivers and vehicle licence holders and separate questionnaires sent to local businesses and stakeholders.
- 3.4 The consultant's report which follows the Study, is attached at **Appendix 1** and makes a number of recommendations. In relation to unmet demand, the overall conclusion in section 10 of the Study Report, is as follows:
- “On the basis of the evidence gathered in this Unmet taxi demand study for Torbay Council, our key conclusion is that there is no evidence of any unmet demand for the services of hackney carriages either patent or latent which is significant at this point in time in the Torbay Council licensing area. The committee is therefore able to retain the limit and at its current level (but with the possible removal of the seasonal distinction).*
- However, taking the balance of the evidence, were such a stance to be taken we would recommend an 18-month key rank review to test if unmet demand was heading towards becoming more significant or not.*
- From our experience, the best conclusion from the options available would be to allow any persons wishing to invest in vehicles the Council would like to see more of in the fleet to do so. Given present concerns, nationally and specific to Torbay, this would most likely mean allowing new hackney carriage plates for:*
- *Any electric WAV*
  - *Any fully electric or other low emission style vehicle*
  - *Any hybrid vehicle as long as this was Euro 6 if diesel”*
- 3.5 The report, however, indicates that demand is rising and has been doing so for a number of years. It states that there is a likelihood that the level of demand will become significant at some stage within the next 3 years.

**For more detailed information on this proposal please refer to Annex A.**  
**Steve Cox**  
**Environmental Health Manager (Commercial)**

## Appendix A – Supporting information to Report

### A1. Introduction and history

A1.1 In June 2004 the DfT wrote to all Local Authorities who had a quantitative limit on the number of Hackney Carriage licences it issued to require them to review this restriction and publish an outcome by 31st March 2005. Torbay Council conducted a thorough review, following which it retained the numerical limit of 162 Hackney Carriage licences (plus 7 summer licences).

A1.2 The DfT have made clear the Government's position on quantity restrictions:-

*“The Action Plan makes clear that the Government believes restrictions should only be retained where there is shown to be a clear benefit for the consumer, and that Council's should publicly justify their reasons for the retention of restrictions and how decisions on numbers have been reached. Thus, the Government considers that, unless a specific case can be made, it is not in the interests of consumers for market entry to be refused to those who meet the application criteria.”*

*“However, the Government also makes clear in the Action Plan that Local Authorities remain best placed to determine local transport needs and to make the decisions about them in the light of local circumstances. So it is not proposing at this time to take away the power to restrict taxi licences from Local Authorities.”*

A1.3 Essentially this review required Torbay Council to undertake an 'Unmet Demand Study' to assess whether or not its existing restrictions were still appropriate. This Study was undertaken in autumn 2004 and reported to the Licensing Committee on the 10<sup>th</sup> March 2005 and to Full Council on the 24<sup>th</sup> March 2005. The report had concluded that there was “no significant unmet demand” and the quantity control was retained. A report was sent to the DfT at that time, as was required.

A1.4 This response to the DfT in 2005 was a one-off requirement. However, where a Council continues with its Quantity Control Policy there is an additional requirement for a review of its Policy approximately every three years, with published conclusions and a justification of the Policy in the five-yearly Local Transport Plan process.

A1.5 In 2008 Torbay Council reported on its second Unmet Demand Study and the outcome was again to retain the numerical limit. In 2010 the DfT re-issued Best Practice Guidance for Taxi and Private Hire licensing. The Guidance re-states the DfT's position regarding quantity restrictions. Essentially, the DfT stated that the assessment of significant unmet demand, as set out in Section 16 of the 1985 Transport Act, is still necessary but not sufficient in itself to justify continued entry control.

A1.6 In order to comply with the three yearly requirement, Torbay Council engaged the services of a company called Halcrow in 2011 and again in 2014 to undertake its Unmet Demand Study. As with previous studies there was no evidence of significant unmet demand, so the numerical limit was retained.

A1.7 In March 2018 the fifth Unmet Demand Study was commissioned, this time with CTS Traffic and Transportation Ltd undertaking the Study. Their study included

300 hours of rank observations, 212 on street interviews, a questionnaire sent to all Hackney Carriage and Private Hire drivers and vehicle licence holders and separate questionnaires sent to local businesses and stakeholders.

A1.8 Section 7 of the report provides a definition of significant unmet demand derived from the industry standard index of the significance of unmet demand (ISUD). ISUD was initiated at the time of the introduction of section 16 of the 1985 Transport Act as a numeric and consistent way of evaluating unmet demand and its significance. This has evolved through various case law over the years and leads to an objective measure of significant unmet demand that allows clear conclusions regarding the presence or absence of this phenomenon to be drawn. Significant Unmet Demand has two components:

- Patent demand – that which is directly observable; and
- Suppressed demand – Where somebody has not waited due to unavailability at time of need

Patent demand is measured using rank observation data. Suppressed (or latent) demand is assessed using data from the rank observations and public attitude interview survey. Both are brought together in a single measure of unmet demand, ISUD.

A1.9 Rank observations were taken across the 10 most used ranks, 8 in Torquay and 1 in each of Paignton and Brixham. The total hours of observations were 300, which comprised of 216 hours in Torquay, 38 at Paignton Station and 46 at Brixham, Bank Lane. Appendices 3 and 4 of the study report provides full assessment and conclusions of the rank observation survey.

A1.10 Section 3 of the Study report highlights the results of the rank observation survey. The rank observation programme covered a period during April 2018. This showed an average weekly passenger demand of 17420 passengers, representing an 18% increase on the 2014 study, which in itself was an 18% increase on the 2011 study.

A1.10 It should be noted that section 7 of the report identifies a significant increase in off peak hours, where there is a delay, this rises from 8 hours in 2014 to 30.59 hours across all ranks currently. Additionally, 5.4% of passengers experience a delay of over a minute (the level where unmet demand may be considered significant), this is fractionally down on the last study (which was 5.7).

A1.11 It should be noted that the surveys in 2018 were undertaken when the seven seasonal plates in addition to the standard 162 hackney carriages plates were operating (although the number of seasonal plates was actually six this year), whereas previous surveys have tended to occur when these were not operating. Had the seasonal plates not been in operation, the delay factor would likely be higher.

A1.12 In the Summary, Synthesis and Study Conclusions at section 9 the Study report states:

*“At the present time, there is no evidence that unmet demand for hackney carriages either patent (at ranks) or latent is significant. People needing licensed vehicles in the area, both able-bodied and disabled – get a good service from the*

*fleet that exists. However, despite many improved elements of the index of significance of unmet demand, there is a trend towards the unmet demand becoming significant which almost certainly needs action before the next survey in three years' time”.*

A1.13 The Recommendations at section 10 of the Study report state:

*“On the basis of the evidence gathered in this Unmet taxi demand study for Torbay Council, our key conclusion is that there is no evidence of any unmet demand for the services of hackney carriages either patent or latent which is significant at this point in time in the Torbay Council licensing area. The committee is therefore able to retain the limit and at its current level (but with the possible removal of the seasonal distinction).*

*However, taking the balance of the evidence, were such a stance to be taken we would recommend an 18-month key rank review to test if unmet demand was heading towards becoming more significant or not.*

*From our experience, the best conclusion from the options available would be to allow any persons wishing to invest in vehicles the Council would like to see more of in the fleet to do so. Given present concerns, nationally and specific to Torbay, this would most likely mean allowing new hackney carriage plates for:*

- *Any electric WAV*
- *Any fully electric or other low emission style vehicle*
- *Any hybrid vehicle as long as this was Euro 6 if diesel”*

A1.14 In appendix 5 of the Study report, it shows that 78% of those surveyed (167 out of 212) said that if they had the choice of using a more sustainably powered vehicle, they would. Of these 107 favoured fully electric vehicles, with 60 favouring hybrid.

A1.15 As part of the Study, CTS also looked at the impact of vehicle emissions in line with the desire within the current (and proposed) Hackney Carriage and Private Hire Licensing Policy to encourage ‘greener’ vehicles. The results of this are copied below and indicate the importance of any policy to encourage less polluting vehicles:

***Vehicle emission impacts***

*In terms of air quality impact of the present fleet, 81% of the present fleet uses diesel (73% for the hackney carriage fleet), and 8% hybrid (12% for the hackney carriage fleet). Using the current ‘clean vehicle’ definition being quoted in most areas moving to have Clean Air zones, 57% of the present hackney carriage and 66% of the present private hire fleet would either need to change or would end up being charged to enter any such zone. This is a clear warning marker, with those areas expecting to apply change by 2020.*

*A more stark message is that all the current Torbay WAV vehicles, both hackney carriage and private hire, would fall outside the ‘clean’ definition”.*

A1.16 The Study report indicates that demand is rising and has been doing so for a number of years. It states that there is a likelihood that the level of demand will become significant at some stage within the next 3 years.

## **A2. Risk assessment of preferred option**

### **A2.1 Outline of significant key risks**

There are no significant risks if the numerical limit of Hackney Carriage licences is maintained at 162 full-time licences and 7 summer only licences. Based on the results of this study, it would be expected that the Authority would have a very good chance of successfully defending this overall limit, should there be a challenge at this current time.

The Study report, having highlighted an expected increase in unmet demand over time, will be less supportive of any successful defence of limit retention at current levels as more time elapses. It is not possible for accuracy as to when, if at all, demand is likely to become significant and as such the recommendation of this report to research potential future options is made in order to obviate any future risk.

The removal of the numerical limit or agreeing to increase the numerical limit is a move that could face challenge by way of Judicial Review, however, with DfT best practice guidance, suggesting this as the preferred stance, any such challenge is unlikely to succeed.

## **A3. Options**

A3.1 The options regarding numerical limits as suggested by the study report are:

- (i) Retain the current limit and policy but instigate an interim peak ranks test no later than 18 months from any such decision
- (ii) Remove the current limit to allow market forces full sway
- (iii) Instigate managed growth, of say five plates per year
- (iv) Introduce managed growth, but of less in the first year but with granting of full-time plates to the seasonal issue
- (v) Remove the limit but in favour of specific vehicle types which the Council wishes to see : this could be electric WAV, generally electric or other low emission vehicles or hybrids (but any diesel hybrid would need to be Euro 6 diesel)

## **A4. Summary of resource implications**

A4.1 There are no significant resource implications for the approval of the recommendation, as the numerically limited licences are already issued.

Any future implications would be highlighted following full assessment of the available options. Albeit, any incremental change in the numerical limit, (options iii and iv above) would likely result in very significant resources being required to administer the new licence allocation, which would include a potential tender and selection process. Whilst delimitation of hackney carriage numbers (effectively options ii and v above) would carry no specific resource implications as new licences would be issued on a cost recovery basis that is covered by the licence application fee.

**A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 There are no perceived equalities or crime and disorder issues stemming from this report.

Environmental sustainability is more difficult to determine given that the study report indicates a high percentage of pollutant vehicles (paragraph A1.15). This is something that would need to be considered as part of a wider assessment as to any future allocation of Hackney Carriage licences within Torbay and would therefore be assessed as part of the recommendation at paragraph 2.2 of this report.

**A6. Consultation and Customer Focus**

A6.1 There has been full consultation with users, stakeholders and operators of taxi's as well as a sample of 212 random members of the public.

**A7. Are there any implications for other Business Units?**

A7.1 There are no significant implications for other business units.

**Appendices**

Appendix 1                      Hackney Carriage Unmet Demand Study Final Report –  
January 2018

**Documents available in members' rooms**

None

**Background Papers:**

The following documents/files were used to compile this report:

None



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Torbay Council  
Unmet taxi demand study

September 2018



## Executive Summary

This Unmet taxi demand study has been undertaken on behalf of Torbay Council following the guidance of the April 2010 DfT Best Practice Guidance document, and all relevant case history in regard to unmet demand. This Executive Summary draws together key points from the main report that are needed to allow a committee to determine from the facts presented their current position in regard to the policy of limiting hackney carriage vehicle licences according to Section 16 of the 1985 Transport Act. It is a summary of the main report which follows and should not be relied upon solely to justify any decisions of a committee, but must be read in conjunction with the full report below.

The survey found a good level of service provided both to those using ranks who were able bodied, and generally to those needing assistance, either in wheel chairs or more generally. Demand for hackney carriages at ranks has continued to increase, whilst most aspects of service levels have improved since the last survey, apart from off-peak waiting times. The overall result is that the observed unmet demand remains non-significant.

However, the continued growth of hackney carriage usage, as well as the moderate level of the ISUD index suggests that, though the limit could be retained and at its present level, confidence that this would continue for the three-year life of the survey is limited.

The recommendation chapter suggests possible ways forward.





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## 1 General introduction and background

Torbay Council is responsible for the licensing of hackney carriage and private hire vehicles operating within the Council area and is the licensing authority for this complete area. Further details of the local application of Section 16 of the 1985 Transport Act with regard to limiting hackney carriage vehicle numbers is provided in further Chapters of this report. Hackney carriage vehicle licences are the only part of licensing where such a stipulation occurs and there is no legal means by which either private hire vehicle numbers, private hire or hackney carriage driver numbers, or the number of private hire operators can be limited.

This review of current policy is based on the Best Practice Guidance produced by the Department for Transport in April 2010 (BPG). It seeks to provide information to the licensing authority to meet section 16 of the Transport Act 1985 "that the grant of a hackney carriage vehicle licence may be refused if, but only if, the licensing authority is satisfied that there is no significant demand for the services of hackney carriages within its local area, which is unmet." This terminology is typically shortened to "no SUD".

Current hackney carriage, private hire and operator licensing is undertaken within the legal frameworks first set by the Town Polices Clause Act 1847 (TPCA), amended and supplemented by various following legislation including the Transport Act 1985, Section 16 in regard to hackney carriage vehicle limits, and by the Local Government Miscellaneous Provisions Act 1976 with reference to private hire vehicles and operations. This latter Act saw application of regulation to the then growing private hire sector which had not been previously part of the TPCA. Many of the aspects of these laws have been tested and refined by other more recent legislation and more importantly through case law.

Beyond legislation, the experience of the person in the street tends to see both hackney carriage and private hire vehicles both as 'taxis' – a term we will try for the sake of clarity to use only in its generic sense within the report. We will use the term 'licensed vehicle' to refer to both hackney carriage and private hire.

The legislation around licensed vehicles and their drivers has been the subject of many attempts at review. The limiting of hackney carriage vehicle numbers has been a particular concern as it is often considered to be a restrictive practice and against natural economic trends. The current BPG in fact says "most local licensing authorities do not impose quantity restrictions, the Department regards that as best practice". The three most recent reviews were by the Office of Fair Trading in 2003, through the production of the BPG in 2010, and the Law Commission review which published its results in 2014.



None of these resulted in any material change to the legislation involved in licensing.

At the time of writing this report an All Party Parliamentary Group is considering taxi policy matters and has produced interim results (July 2017), but the main results are still some way in the future. Other groups have provided comment but the upshot remains no change in legislation from that already stated above.

With respect to the principal subject of this survey, local authorities retain the right to restrict the number of hackney carriage vehicle licenses. The Law Commission conclusion included retention of the power to limit hackney carriage vehicle numbers but utilizing a public interest test determined by the Secretary of State. It also suggested the three- year horizon also be used for rank reviews and accessibility reviews. However, there is currently no expected date either for publication of the Government response to the Law Commission, nor indeed any plans for revisions to legislation.

A more recent restriction, often applied to areas where there is no 'quantity' control felt to exist per-se, is that of 'quality control'. This is often a pseudonym for a restriction that any new hackney carriage vehicle licence must be for a wheel chair accessible vehicle, of various kinds as determined locally. In many places this implies a restricted number of saloon style hackney carriage licences are available, which often are given 'grandfather' rights to remain as saloon style.

Within this quality restriction, there are various levels of strength of the types of vehicles allowed. The tightest restriction, now only retained by a few authorities only allows 'London' style wheel chair accessible vehicles, restricted to those with a 25-foot turning circle, and at the present time principally the LTI Tx, the Mercedes Vito special edition with steerable rear axle, and the Metrocab (no longer produced). Others allow a wider range of van style conversions in their wheel chair accessible fleet, whilst some go as far as also allowing rear-loading conversions. Given the additional price of these vehicles, this often implies a restriction on entry to the hackney carriage trade.

Some authorities do not allow vehicles which appear to be hackney carriage, i.e. mainly the London style vehicles, to be within the private hire fleet, whilst others do allow wheel chair vehicles. The most usual method of distinguishing between hackney carriages and private hire is a 'Taxi' roof sign on the vehicle, although again some areas do allow roof signs on private hire as long as they do not say 'Taxi', some turn those signs at right angles, whilst others apply liveries, mainly to hackney carriage fleets, but sometimes also to private hire fleets.



After introduction of the 1985 Transport Act, Leeds University Institute for Transport Studies developed a tool by which unmet demand could be evaluated and a determination made if this was significant or not. The tool was taken forward and developed as more studies were undertaken. Over time this 'index of significance of unmet demand' (ISUD) became accepted as an industry standard tool to be used for this purpose. Some revisions have been made following the few but specific court cases where various parties have challenged the policy of retaining a limit.

Some of the application has differed between Scottish and English authority's. This is mainly due to some court cases in Scotland taking interpretation of the duty of the licensing authority further than is usual in England and Wales, requiring current knowledge of the status of unmet demand at all times, rather than just at the snap-shot taken every three years. However, the three year survey horizon has become generally accepted given the advice of the BPG and most locations that review regularly do within that timescale.

The DfT asked in writing in 2004 for all licensing authorities with quantity restrictions to review them, publish their justification by March 2005, and then review at least every three years since then. In due course, this led to a summary of the government guidance which was last updated in England and Wales in 2010 (but more recently in Scotland).

The BPG in 2010 also provided additional suggestions of how these surveys should be undertaken, albeit in general but fairly extensive terms. A key encouragement within the BPG is that "an interval of three years is commonly regarded as the maximum reasonable period between surveys". BPG suggests key points in consideration are passenger waiting times at ranks, for street hailings and telephone bookings, latent and peaked demand, wide consultation and publication of "all the evidence gathered".

The most recent changes in legislation regarding licensed vehicles have been enactment of the parts of the Equality Act related to guidance dogs (sections 168 to 171, enacted in October 2010), the two clauses of the Deregulation Act which were successful in proceeding, relating to length of period each license covers and to allowing operators to transfer work across borders (enacted in October 2015), and most recently enactment of Sections 165 and 167 of the Equality Act, albeit on a permissive basis (see below).

In November 2016, the DfT undertook a consultation regarding enacting Sections 167 and 165 of the Equality Act. These allow for all vehicles capable of carrying a wheel chair to be placed on a list by the local council (section 167). Any driver using a vehicle on this list then has a duty under section 165 to:

- Carry the passenger while in the wheel chair
- Not make any additional charge for doing so
- If the passenger chooses to sit in a passenger seat to carry the wheel chair
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort
- To give the passenger such mobility assistance as is reasonably required

This was enacted from April 2017. There remains no confirmation of any timetable for instigating either the remainder of the Equality Act or the Law Commission recommendations, or for the update of the BPG.

In respect to case law impinging on unmet demand, the two most recent cases were in 1987 and 2002. The first case (*R v Great Yarmouth*) concluded authorities must consider the view of significant unmet demand as a whole, not condescending to detailed consideration of the position in every limited area, i.e. to consider significance of unmet demand over the area as a whole.

*R v Castle Point* considered the issue of latent, or preferably termed, suppressed demand consideration. This clarified that this element relates only to the element which is measurable. Measurable suppressed demand includes inappropriately met demand (taken by private hire vehicles in situations legally hackney carriage opportunities) or those forced to use less satisfactory methods to get home (principally walking, i.e. those observed to walk away from rank locations).

In general, industry standards suggest (but specifically do not mandate in any way) that the determination of conclusions about significance of unmet demand should take into account the practicability of improving the standard of service through the increase of supply of vehicles. It is also felt important to have consistent treatment of authorities as well as for the same authority over time, although apart from the general guidance of the BPG there is no clear stipulations as to what this means in reality, and certainly no mandatory nor significant court guidance in this regard.

At the present time, there is an active All-Party Parliamentary Group considering issues regarding hackney carriage and private hire licensing that are considered to be current and critical. Their discussions have just been published. As is usual in a diverse industry, other formal and informal groups continue to suggest potential changes to licensing that might be applied – but none of these, however strongly presented, have any legal weight and must be taken fully in context.



This includes various changes arising from need to consider pollution and air quality issues although some elements of this will legally apply, but at a much higher level than specific licensing legislation, which may imply clashes with established legislation and more so present practice.

In conclusion, the present legislation in England and Wales sees public fare-paying passenger carrying vehicles firstly split by passenger capacity. All vehicles able to carry nine or more passengers are dealt with under national public service vehicle licensing. Local licensing authorities only have jurisdiction over vehicles carrying eight or less passengers. Further, the jurisdiction focusses on the vehicles, drivers and operators but rarely extends to the physical infrastructure these use (principally ranks).

The vehicles are split between hackney carriages which are alone able to wait at ranks or pick up people in the streets without a booking, and private hire who can only be used with a booking made through an operator. If any passenger uses a private hire vehicle without such a properly made booking, they are not generally considered to be insured for their journey.

Drivers can either be split between ability to drive either hackney carriage or private hire, or be 'dual', allowed to drive either kind of vehicle. Whilst a private hire driver can only take bookings via an operator, with the 'triple-lock' applying that the vehicle, driver and operator must all be with the same authority, a hackney carriage driver can accept bookings on-street or by phone without the same stipulation required for private hire.

Recent legislation needing clarification has some operators believing they can use vehicles from any authority as long as they are legally licensed as private hire. At first, under the 'Stockton' case, this was hackney carriages operating as private hire in other areas (cross-border hiring). More recently, under the Deregulation Act, private hire companies are able to subcontract bookings to other companies in other areas if they are unable to fulfil their booking, but the interpretation of this has become quite wide.

The 'triple lock' licensing rule has also become accepted. A vehicle, driver and operator must all be under the same licensing authority to provide full protection to the passenger. However, it is also accepted that a customer can call any private hire company anywhere to provide their transport although many would not realise that if there was an issue it would be hard for a local authority to follow this up unless the triple lock was in place by the vehicle used and was for the area the customer contacted licensing.

Further, introduction of recent methods of obtaining vehicles, principally using 'apps' on mobile phones have also led to confusion as to how 'apps' usage sits with present legislation.

All these matters can impact on hackney carriage services, their usage, and therefore on unmet demand and its significance.



## 2 Local background and context

Key dates for this Unmet taxi demand study for Torbay Council are:

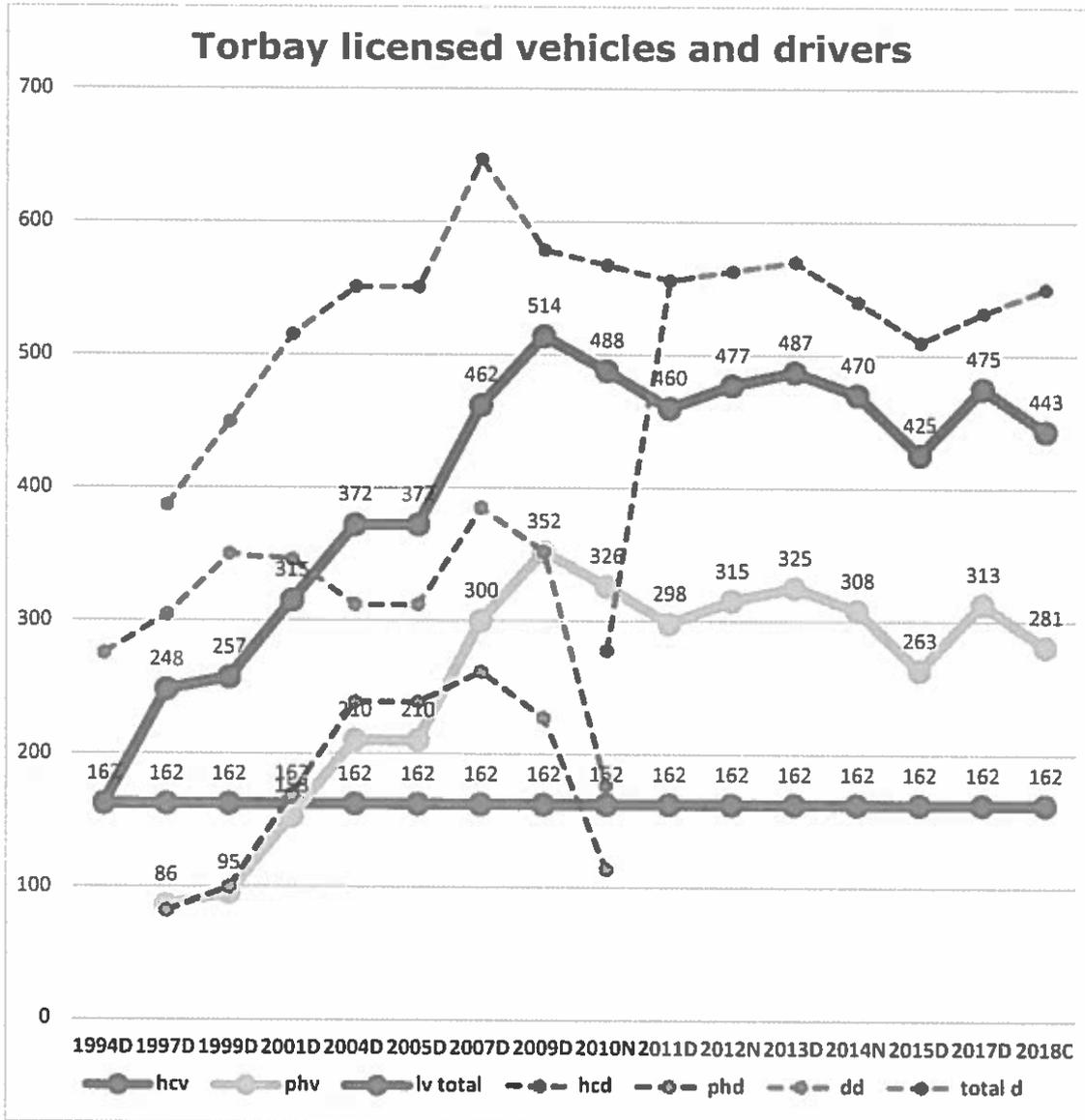
- appointed Licensed Vehicle Surveys and Assessment (LVSA) on 12 April 2018
- in accordance with our proposal of March 2018
- as confirmed during the inception meeting for the survey held on 3 May 2018
- this survey was carried out between May and September 2018
- On street pedestrian survey work occurred in July 2018
- the video rank observations occurred in May 2018
- Licensed vehicle driver opinions and operating practices were surveyed using an all-driver letter approach during June and July 2018
- Key stakeholders were consulted throughout the period of the survey
- A draft of this Final Report was reviewed by the client during September 2018
- and reported to the appropriate Council committee on 1 November 2018.

Torbay Council is a Unitary authority in the South West of England. The authority has a current population of 135,200 using the 2018 estimates currently available from the 2011 census.

In terms of background council policy, Torbay Council, being a unitary authority, has full transport policy and highway powers alongside its licensing function. This means that ranks are provided within the same authority, albeit by a separate section of the Council, and that overall transport policy is also set within the Council.

All licensing authorities have full powers over licensing the vehicles, drivers and operators serving people within their area. Torbay Council has chosen to utilize its power to limit hackney carriage vehicle numbers, and as far as we are aware has done so since 1968 according to information from the Department for Transport statistics (DfT). It has also had a regular programme of reviewing this limit policy and copies of many previous reviews are available.

By drawing together published statistics from both the Department for Transport (D) and the National Private Hire Association (N), supplemented by private information from the licensing authority records (C), recent trends in vehicle, driver and operator numbers can be observed. The detailed numbers supporting the picture below are provided in Appendix 1. Due to the comparative size, the operator figures are shown in the second picture.



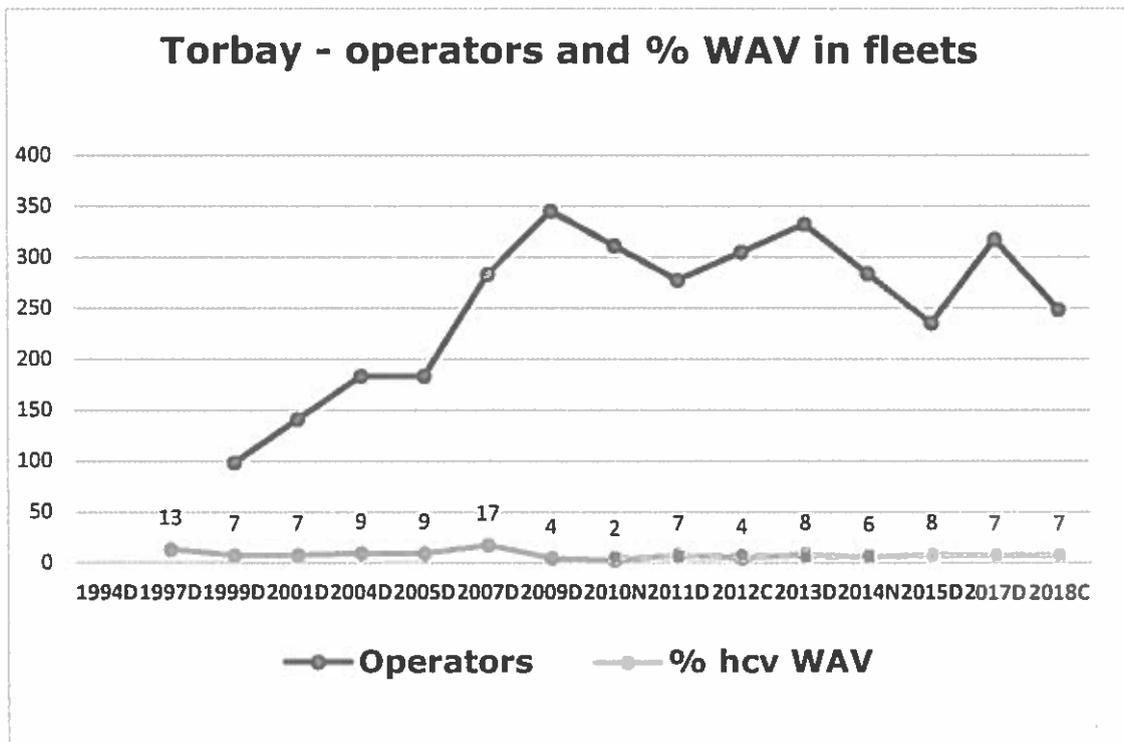
Licensing Statistics from 1994 to date

The graph above shows the retention of the limit on vehicle numbers at the current level over an extended period of time, with no additions during the period covered by the DfT statistics. Private hire vehicle numbers unusually grew from a level well below that of hackney carriages and became dominant only from 2004 onwards, with growth continuing until 2009. The recession appears to have hit the private hire sector very hard in the area, with a general reduction in private hire numbers from then to date, with a few apparent increases in the period. They are now 20% lower than their peak number, albeit still more than three times the number first recorded by DfT in 1997.

Driver numbers overall have followed a similar pattern, with a dual driver classification set up from 2011 onwards. However, they have shown growth over the last two years albeit not at a great level.



Information is also available from these sources to show how the level of wheel chair accessible vehicles (WAV) has varied. It must be noted that in most cases the values for the private hire side tend to be much more approximate than those on the hackney carriage side, as there is no option to mandate for private hire being wheel chair accessible. In some areas, to strengthen the ability of the public to differentiate between the two parts of the licensed vehicle trade, licensing authorities might not allow any WAV in the private hire fleet at all.



Operator numbers and levels of WAV provision in the fleet

The number of private hire operators is very high in the area. This arises from a specific council requirement at this point in time. Their numbers also show the same pattern, of growth and then general decline with some resurgence. A large number of these operators are small independent one-man operations – future numbers may be revised as policy develops with current government requirements.

The level of WAV within the overall fleet had a peak in 2007 but remains very low, at no more than 7% of the hackney carriage fleet. However, numbers are boosted by a similar proportion of the private hire fleet being similarly accessible, mainly due to one company who chose to focus on this area, but who are not otherwise particularly public facing.

Further discussion regarding wheel chair accessible vehicles follows in a specific chapter later in the Report.



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### 3 Patent demand measurement (rank surveys)

As already recorded in Chapter 2, control of provision of on-street ranks in Torbay Council is entirely within the gift of the authority itself, albeit being through the highways section. Appendix 2 provides a list of ranks in Torbay Council at the time of this current survey.

Our methodology involves a current review both in advance of submitting our proposal to undertake this Unmet taxi demand study and at the study inception meeting, together with site visits where considered necessary. This provides a valid and appropriate sample of rank coverage which is important to feed the numeric evaluation of the level of unmet demand, and its significance (see discussion in Chapter 7). With this study, a review was undertaken with the inception meeting, including discussion with the licensing team and a tour of all ranks. The detailed specification of the hours included in the sample is provided in Appendix 3.

There have been no changes to rank provision in the area since the previous survey. Nor have there been any significant changes in the area which might cause major change between usage of ranks.

Like many other areas, Torbay has several ranks that ceased to see regular use some while ago, whilst some have very specific uses dependent on nearby demand generators, although many service a range of different uses which makes them more stable with the various changes that can occur to rank usage over the years.

#### ***Usage of ranks in a typical week***

A full discussion of all ranks occurs below following the outline results of our observations. The table below shows results from estimates of weekly rank usage from each of the recent surveys from 2008 to date. This enables a comparison of usage over time, as well as providing a validation of the current observations against past trends. The ranks are listed in order of those with the highest level of passengers in our current 2018 estimates.

The table shows that the area continues to show steady growth in usage of hackney carriages at ranks across the area. The estimated weekly usage of vehicles in 2018 is now 18% higher than it was in 2014, which itself was an 18% growth from the previous survey. This is against the general trend across England at this time.

Unlike many other licensing authorities, even those with other centres, Torbay has active hackney carriage ranks also in both Paignton and Brixham that have significant passenger usage.



**Average weekly estimated passenger demand at ranks**

Rank	2018		2014		2011		2008	
	Pass	%	Pass	%	Pass	%	Pass	%
Torquay, The Strand	5761	33	3400	23	1766	14	497	4
Paignton Station, private	2762	16	2165	15	2037	16	1182	11
Brixham, Bank Lane	2619	15	2357	16	2204	18	1864	17
Torquay, Union Street	2026	11.6	1924	13	1601	13	3469	31
Torquay, Victoria Parade	1869	10.7	1721	12	2037	16	765	7
Torquay, PO Roundabout	1058	6.1	1106	8	1313	10	1422	13
Torquay Station, private	868	5	534	4	648	5	391	3
Torquay, Cary Parade	409	2.3	456	3	436	3	319	3
Torquay, Torwood St	36	0.2	873	6	69	1	Not there	
Torquay, Castle Circus	12	0.1	197	1	417	3	711	6
Paignton, Hyde Road							465	4
Torquay, Princess Theatre							80	1
Torquay, Westlands School							20	0
Paignton, Dartmouth Rd							18	0
Lymington Road, two sites							5	0
Lymington Road, Coach Stn							5	0
Torquay, Chestnut Avenue							0	0
Paignton, Palace Avenue							0	0
Paignton, Torbay Road							0	0
<b>TOTALS</b>	<b>17420</b>		<b>14734</b>		<b>12527</b>		<b>11212</b>	
<b>Growth from previous</b>	<b>+18</b>		<b>+18</b>		<b>+12</b>		<b>N/A</b>	

Compared to historical figures, there has been a distinct change over time in which ranks are most important. In 2008, nearly a third of demand occurred at the Union Street rank in Torquay. At that time, this rank was most dominant, with the next rank, that in Brixham, seeing 17% of demand with The Strand not seeing a great amount of demand, just 4%. In 2011, there were six ranks all of which shared between 10 and 18% of demand, with Brixham marginally the busiest. By 2014, The Strand had started to dominate, gaining 23% with the Post Office roundabout rank in Torquay reducing its share to 8%.

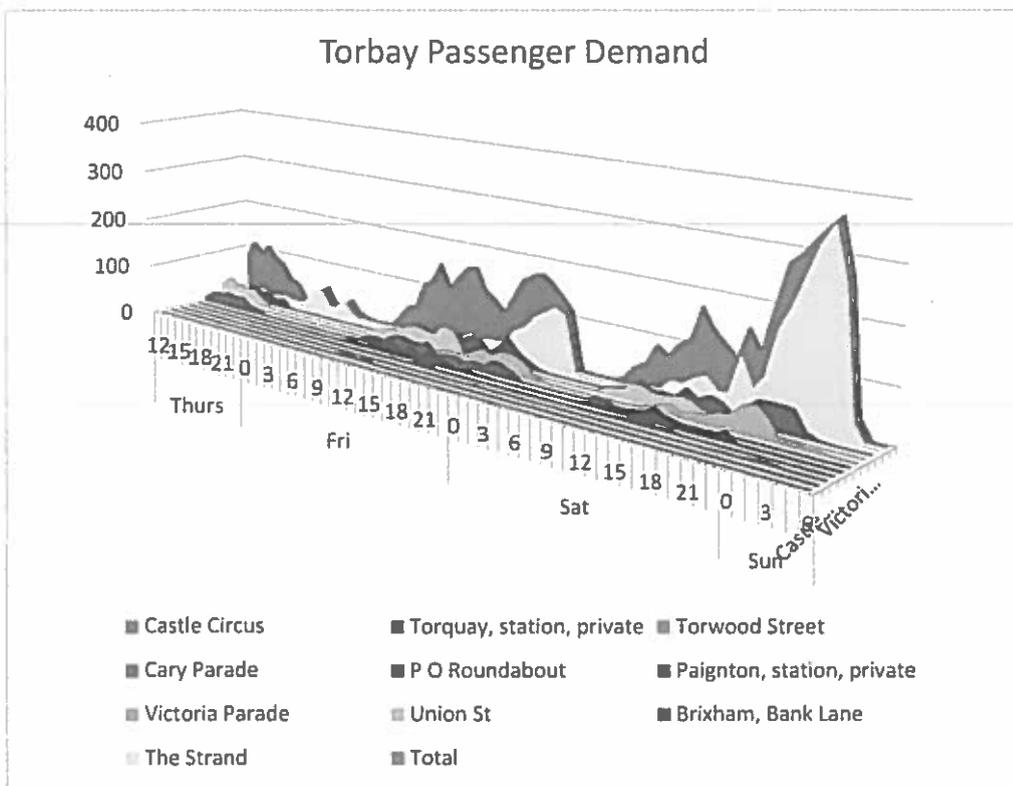
In the current observations, demand at the Strand is now a third of all estimated weekly demand, with the station at Paignton and the Brixham rank almost equal in share, with Torquay ranks at Union Street and Victoria Parade both around 11% and the Post Office roundabout further reduced to 5%. The Cary Parade location has fairly similar levels of demand through the years, but the proportion this time is now down to 2.3%. Castle Circus has almost dropped out of significant usage, whilst Torwood Street has also reduced from its peak of 6% of overall demand in 2014.



Brixham Bank Lane rank has continued to see growth in actual numbers, with 11% growth since the last survey. Only larger growth of The Strand rank has pushed its share down. This rank tends to service mainly local demand given that the town is very hilly and has hardly any local public transport other than the high frequency core route through to Paignton and Torquay. The nature of the town means there are no other potential sites for ranks.

Paignton is a different situation in that it has had council provided ranks, but these were not located as well as the private rank provided by the local railway company on its forecourt. That rank has also seen survey on survey growth, and is currently the second busiest rank in the area, marginally busier than the Brixham rank. During our site visit, we found that this rank has a local nature, but also provides for connections on from trains towards Brixham and other parts of the area. The Palace Avenue rank remains in place, and appears fairly well observed by other vehicles, but sees no known usage.

The graph below shows the picture of demand over the observed rank hours. This demonstrates Saturday through to Sunday morning as clearly the busiest day, with much lower demand on the Thursday afternoon, and similar demand daytimes on Friday compared to Saturday, but with much less overnight demand. However, on both Friday and Saturday there is a growth in demand through to the early hours at The Strand, but the Saturday peak much more dominant.



Further review of the profile shows that, though the peak flow is over three times the average rank hourly flow in total, the peak in the 02:00 hour in the early hours of Sunday in fact is built up to steadily over the period from 21:00 onwards, with high flows still in the following hour and the main drop in the 04:00 hour. The Friday to Saturday peak starts at about the same time and ends around the same time, but peaks much earlier at midnight but at about half the level of the early Sunday morning peak. Overall, this is not however a 'peaky' profile.

### ***Delay profiles***

A review of the hours with average passenger delay of a minute or more found 9% of all hours to experience such delay. This equated to just over 30% of passengers travelling in an hour when there was such a level of delay. A further 18% of hours had some average passenger delay, but not more than 59 seconds. The overall average passenger delay was 16 seconds taken over all passengers. Further discussion of the significance of this unmet demand is provided in the separate chapter later.

### ***Disability usage***

During the course of our observations, a total of seven cases were found where people accessed the hackney carriages at ranks in a wheel chair. There were two examples at both Union Street and Cary Parade, and one each at The Strand, Victoria Parade and Paignton Station. This is a good level of observed usage.

A further 154 other cases were found where people accessed hackney carriages with other apparently visible disabilities, many walking with aids. The largest number were at Paignton Station, with 57 people, followed by the Strand with 39, Union Street with 31 and the Post Office Roundabout rank with 16. This shows a very good level of usage by people with disabilities in the area.

### ***Comments about overall rank usage in 2018***

The Strand rank is now dominant, based on growth of the Harbourside area. This rank is formed from a main header, supplemented at night by bus stops which become a feeder. During the daytime the Victoria Parade rank also feeds the Strand, but also has its own activity both in day and night periods. Torwood Street, also in this area, has reduced usage compared to 2014, partly due to issues with it being parking in the daytime and some abuse by other vehicles at night. Some of the growth at The Strand may be related to this being more a focus of all rank demand at the Harbourside, although this far from accounts for the overall growth there of some 69% since the last survey.



Other Torquay ranks service the main central shopping area, with Union Street most used followed by the Post Office roundabout, which compared to the overall trend has seen declining usage over the years. The Castle Circus rank at the top end of the shopping area sees very few passengers in this survey. Whilst Union Street has actually seen 5% passenger growth since the last survey, its share has dropped with the large increase occurring at the Strand.

The Cary Parade rank in Torquay remains one principally used by vehicles working on the radio circuit whose office is located directly next to the rank. However, there do appear to be walk-in trips made to vehicles waiting here, although this number is marginally reduced from the previous survey.

The two ranks near to the Town Hall in Lymington Road have seen little use for many years, partly due to little demand in the area around them. It was agreed there was no need to survey these, a decision common to all surveys since the 2011 one. The coach station rank, further along Lymington Road, was also not observed as any service to the coach station tends to be telephone bookings given the relatively low frequency of coach arrivals, and with little other demand in that location. At some point, the coach station facilities have also been moved further away from the rank itself. Even when observed in 2008, the number of passengers observed was just five at either end of Lymington Road.

The Princess Theatre rank remains marked but is no longer formally listed on the Council list, and was not observed as it is understood to see very little usage. The Chestnut Avenue rank remains marked and listed, but again has seen very little use, and was not even used at all during the 2008 observations.

Paignton only sees usage at the railway station rank, which has in effect become the towns main point of access to the hackney carriage service. This is not surprising given its central location both to the station and to the shopping area, and ease of access for vehicles (apart from the fact vehicles have to reverse off).

Brixham retains a very active central rank with very good pedestrian and vehicular access, and good opportunity to interchange with the main bus service in the area.

It should be noted that the surveys in 2018 were undertaken when the seven seasonal plates in addition to the standard 162 hackney carriages plates were operating (although the number was actually six this year), whereas previous surveys have tended to occur when these were not operating.



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## 4 General public views

It is very important that the views of people within the area are obtained about the service provided by hackney carriage and private hire. A key element which these surveys seek to discover is specifically if people have given up waiting for hackney carriages at ranks (the most readily available measure of latent demand). However, the opportunity is also taken with these surveys to identify the overall usage and views of hackney carriage and private hire vehicles within the study area, and to give chance for people to identify current issues and factors which may encourage them to use licensed vehicles more.

Such surveys can also be key in identifying variation of demand for licensed vehicles across an area, particularly if there are significant areas of potential demand without ranks, albeit in the context that many areas do not have places apart from their central area with sufficient demand to justify hackney carriages waiting at ranks.

These surveys tend to be undertaken during the daytime period when more people are available, and when survey staff safety can be guaranteed. Further, interviews with groups of people or with those affected by alcohol consumption may not necessarily provide accurate responses, despite the potential value in speaking with people more likely to use hackney carriages at times of higher demand and then more likely unmet demand. Where possible, extension of interviews to the early evening may capture some of this group, as well as some studies where careful choice of night samples can be undertaken.

Our basic methodology requires a sample size of at least 200 to ensure stable responses. Trained and experienced interviewers are also important as this ensures respondents are guided through the questions carefully and consistently. A minimum sample of 50 interviews is generally possible by a trained interviewer in a day meaning that sample sizes are best incremented by 50, usually if there is targeting of a specific area or group (e.g. of students, or a sub-centre), although conclusions from these separate samples can only be indicative taken alone. For some authorities with multiple centres this can imply value in using a higher sample size, such as 250 if there are two large and one moderate sized centre.

It is normal practice to compare the resulting gender and age structure to the latest available local and national census proportions to identify if the sample has become biased in any way.



More recently, general public views have been enlisted from the use of council citizens' panels although the issue with these is that return numbers cannot be guaranteed. The other issue is that the structure of the sample responding cannot be guaranteed either, and it is also true that those on the panel have chosen to be there such that they may tend to be people willing to have stronger opinions than the general public randomly approached.

Finally, some recent surveys have placed an electronic copy of the questionnaire on their web site to allow interested persons to respond, although again there needs to be an element of care with such results as people choosing to take part may have a vested interest.

The current survey sought to obtain 125 interviews in Torquay, 75 in Paignton and 50 in Brixham, but with some of the Torquay interviews obtained later in the afternoon at Harbourside. In actuality, it proved possible to obtain more than sufficient interviews in Torquay and the Harbourside, but much more difficult to find sufficient people within the appropriate time at either Brixham or Paignton, with the result that the total interviews obtained came to 211, not 250. However, this sample will still be a robust one. This was also partly a result of operational matters involving travel between two locations within a shift.

In terms of the overall sample, slightly less males were interviewed than the current census values (44% compared to 48% in the census), whilst we interviewed less of the highest age group (35% compared to 48% in the census), and correspondingly more of the two younger age groups (22% compared to 18% for the lowest age, and 42% compared to 34% for the middle age group). However, this should not lead to a significant bias and this may partly be explained by the relatively high level of people in the survey who were from out of the area (43% said they did not live in Torbay).

For this survey, the question about recent usage of vehicles was split between hackney carriage and private hire. Overall, 16% said they had used a hackney carriage only in the last three months, 12% had used only private hire, and 9% had used both. In total, across these three values, 36% had used a licensed vehicle in the recent three months, quite low. However, this could be affected by the high number of non-local people interviewed as this is well down on the 66% quoted in 2014.

People told us how frequently they used both hackney carriage and private hire. The average across the area was 1.3 trips per person per month, relatively low, although the hackney carriage proportion, at 54%, or 0.7 hackney carriage trips per person per month was quite high in comparison. The value was higher in Brixham, Torquay Harbourside and Paignton than in the central Torquay area.



For those responding, 45% said they got a licensed vehicle by telephoning, lower than the 75% quoting this method in 2014. 30% said ranks (higher than the 23% of 2014) and a very high 5% said they hailed (again increased from the 2%, which itself is high of 2014.) After rank, the next highest value was in fact people saying they never used a licensed vehicle.

21 different company names were given for those people would call. However, the top two took two thirds of the mentions, with the top company taking 52% of all mentions. Only seven companies obtained two or more mentions. Those interviewed at the Harbourside gave the least number of different companies, just four names, whilst the most variation was provided by the central Torquay sample.

9% told us they could not remember seeing a hackney carriage in the Torbay area, a fairly high value; whilst as usual a much higher 47% said they could not remember when they last used one.

Overall, the most known about rank was that at Paignton station, well known by those in both Brixham and Paignton. This rank was, however, unknown by those interviewed in either Torquay location, as might be expected. However, there were also some other names given in Paignton that might also be that rank. When summed across all names used, the actual best known rank was the Harbourside (Strand) location although people either said it was 'Harbourside' or 'seafront' (assumed to be this set of ranks). Interestingly, Torquay station obtained 8% of mentions whilst Union Street Torquay obtained 6%. Between the seven different names given for Brixham, 9% of people were aware of this location.

For those citing rank locations they were aware of, 57% said they did use them, quite a high level of usage.

People then provided a rating for their most recent trip in a licensed vehicle in the area for several aspects. There were very few scores any less than average, with all but price scoring at least 75% 'very good'. For price, 66% said 'very good' but 2% each said very poor or poor, and 11% average. Overall this suggests a very good service is provided by the licensed vehicles in the area.

The matter that price was the issue of most concern was confirmed by the fact that the only real item that would ensure more usage of licensed vehicles was if fares were cheaper. This took up just over three quarters of responses, and was the only response greater than 9%. This next highest value sought better drivers.



With regard to disability, 90%, the typical level, did not need, nor know anyone who needed an adapted licensed vehicle. Of those needing an adapted vehicle, almost all opted for a wheel chair accessible vehicle rather than any other adaptation.

With respect to the latent demand factor, if people had given up waiting for a hackney carriage at a rank in the Torquay area, eleven people said they had. However, when asked where, one location was not a Torbay rank, and three were at the private station ranks. This implies a council rank latent demand value of 1.033, a private rank value of 1.014 and an all rank value of 1.047. This is lower than the value of 1.127 from 2014. No question was asked in this survey in regard to hailing (this value had been 1.057 in 2014 giving a combined latent demand value of 1.101).

93% of people thought there were enough hackney carriages in the area, with this value lowest in Paignton and Brixham (99%) and highest in the harbourside sample. This is higher than the 70% quoted in 2014.

People were asked if they would use electric, hybrid or other alternative powered vehicles. 64% of responses said they would use fully electric and 36% were for hybrid, with no votes for any other style of alternative power.

In terms of feeling safe, 97% said they did before 6 pm, and 80% later.

7% said they had needed to complain about a journey made in a local licensed vehicle. 58% of respondents said they would complain to the company the vehicle worked for, with 27% complaining to the driver. However, 11% said they would not know who to complain to.

People were also asked about the marshals operating at the Harbourside. Of those responding to this question, 16% said they had used the rank when the marshals were operating. Of these, 91% felt the marshals managed the queue well and 81% said their presence made people feel safer.

Overall, this puts the general picture of the licensed vehicle operation in Torbay in a fairly good light, with only minor issues mainly of national concern, and with regards to price something little can easily be done about.

## 5 Key stakeholder consultation

The following key stakeholders were contacted in line with the recommendations of the BPG:

- Supermarkets
- Hotels
- Pubwatch / individual pubs / night clubs
- Other entertainment venues
- Restaurants
- Hospitals
- Police
- Disability representatives
- Rail operators
- Other council contacts within all relevant local councils

Comments received have been aggregated below to provide an overall appreciation of the situation at the time of this survey. In some cases, there are very specific comments from given stakeholders, but we try to maintain their confidentiality as far as is possible. The comments provided in the remainder of this Chapter are the views of those consulted, and not that of the authors of this report.

Our information was obtained by telephone, email, letter or face to face meeting as appropriate. The list contacted includes those suggested by the Council, those drawn from previous similar surveys, and from general internet trawls for information. Our target stakeholders are as far as possible drawn from across the entire licensing area to ensure the review covers the full area and not just specific parts or areas.

For the sake of clarity, we cover key stakeholders from the public side separately to those from the licensed vehicle trade element, whose views are summarized separately in the following Chapter.

Where the statistical analyses in Chapter 2 demonstrate low levels of wheelchair accessible vehicle (WAV) provision, an increased emphasis will be given to the issue in terms of the focus of stakeholders but also in specific efforts to contact disabled users and their representatives. However, it must be remembered that none of our consultation is statutory and for cost effective and fixed budget reasons we limit our attempts to contact people generally to a first attempt and reminder.



### **Supermarkets**

In Torquay, four supermarkets told us their customers did use licensed vehicles. Two would direct people to their in-store freephone, or obtain via customer services. One had a freephone which it expected any customer to use, whilst the other said customers would be pointed to the rank directly outside. No others were aware of any ranks nearby, and none had issues with the service customers obtained. One other supermarket made no response whilst another was not contactable.

One Paignton supermarket told us their customers used local taxis, with customers either contacting companies themselves or asking staff. No rank was known about, nor were any issues with the service provided. One supermarket refused to provide comment whilst three others made no response.

One Brixham supermarket responded to advise us their customers used local licensed vehicles using a taxi voucher scheme run by one taxi company, with which customers had no issues. Three other supermarkets had no comment.

### **Hotels**

Five Torquay hotels had customers that used local licensed vehicles. Three said customers either obtained vehicles themselves or could ask at reception. One said customers usually asked at reception. Two were aware of nearby ranks and one gave a company name when asked about a rank. Three said there were no known issues whilst one felt they were too expensive and another had concerns about driving styles. One hotel provided no response.

All seven responding Paignton hotels had customers that did use local licensed vehicles. Three said reception would usually obtain a vehicle if asked, two said customers usually found their own vehicles, whilst two said people often got their own vehicles, but staff would phone if asked. Four were not aware of any rank, two knew of the station and one quoted a taxi company name. None had any issues. Just one location made no comment.

The Brixham hotels had three that said their customers did use local licensed vehicles. Two said staff would obtain vehicles whilst one said customers usually obtained their own, whilst another said either customers obtained them or staff would call for them. Two were aware of the local rank, and one gave a company name. No issues had been reported. Two others made no comment.

### **Public houses**

One Torquay public house refused to provide any information, with eight others not providing any response during the time available.



For Paignton, three pubs said their customers used licensed vehicles. Five others gave no response. Two of those responding said either customers made their own arrangements, or they would obtain vehicles for them. Two were aware of the station rank whilst one was not. None had heard of any issues with the service. Four others made no response.

In Brixham, four pubs had customers that did use licensed vehicles. Two said customers usually made their own arrangements, or staff would obtain vehicles. One said customers usually made their own arrangements, with the other saying staff would make contact. Two were aware of the rank whilst two were not. Three had no issues, but the other said the service advertised being 24-hours but they often were told by customers that they had been advised there were no vehicles available after 00:30.

### ***Night clubs***

One Torquay night club said their customers used licensed vehicles, mostly by going to the Harbourside ranks, or by making a phone call themselves. They were not aware of any issues. Six other locations provided no response.

No night clubs were identified in Brixham. In Paignton, none of the four contacted made any response.

### ***Other entertainment venues***

One Torquay entertainment venue said customers used licensed vehicles, mainly phoned for by staff on their behalf. They were not aware of any rank nor any issues. Five other locations provided no comments.

For Paignton, two locations had customers who used licensed vehicles, but usually obtained them themselves. One was aware of the station rank, and neither were aware of issues. One location refused to comment and two others made no response.

One location in Brixham told us their customers used licensed vehicles, from the rank directly outside. Four other locations provide no comment.

### ***Restaurants***

One Torquay restaurant did not think their customers made any use of licensed vehicles at all. No other comments were received from a range of six other locations.



In Paignton, four had customers that used local licensed vehicles. Two said staff would make contact for customers whilst one said customers usually made contact, with the other saying either customers made contact or they would do so if asked. One was aware of the station rank, one quoted two companies, and the other two were not aware of any ranks. Two had not received any complaints but two said drivers were rude to customers.

One Brixham restaurant said their customers used licensed vehicles and would either make contact themselves or staff would get a vehicle for them. They were aware of the main rank, but not aware of any issues. Five other locations did not provide any comment.

### ***Police***

The police made no comments.

### ***Disability***

A wide range of disability contacts were approached using a list available publicly from the local NHS trust, plus use of our national contacts with some key disability campaigning organisations e.g. Guide Dogs. The existence of the NHS provided list is relatively unique, providing a wide range of contacts, although being recent, it is not directly clear how many will remain active but at least it gives wide opportunity for response.

One respondent said they mainly provided transport for those with disabilities using their own voluntary staff. However, the range of people they could help was limited, and they often had requests from those needing wheel chair accessible transport. Their requests had recently increased with issues with the local hospital transport, but they found it hard to obtain suitable and available wheel chair accessible licensed vehicles, mainly because there were relatively few of them, and also because they felt that those that did exist were less willing to help because the jobs often cost more to undertake whilst those using the service were also less willing to pay. They understood the issues involved, but mainly wished to record the issue.

Another company told us about their operation focussing on pre-booked journeys for people with a range of disabilities, for which they had a range of vehicles. The level of work was sufficient to keep them busy enough through the week, but did not leave them much scope for providing a weekend or evening service, although if this was requested they usually attempted to identify other provision. They did not think that many people would make use of rank-based services as people preferred to know those serving them, and to have confidence they could make their trip.

No other comment was made by any of the wide range of groups contacted.



***Rail and other transport operators***

No response was made by any other local rail or transport operators.



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## 6 Trade stakeholder views

The BPG encourages all studies to include 'all those involved in the trade'. There are a number of different ways felt to be valid in meeting this requirement, partly dependent on what the licensing authority feel is reasonable and possible given the specifics of those involved in the trade in their area.

The most direct and least costly route is to obtain comment from trade representatives. This can be undertaken by email, phone call or face to face meeting by the consultant undertaking the study. In some cases to ensure validity of the work being undertaken it may be best for the consultation to occur after the main work has been undertaken. This avoids anyone being able to claim that the survey work was influenced by any change in behaviour.

Most current studies tend to issue a letter and questionnaire to all hackney carriage and private hire owners, drivers and operators. This is best issued by the council on behalf of the independent consultant. Usual return is now using an on-line form of the questionnaire, with the option of postal return still being provided, albeit in some cases without use of a freepost return. Returns can be encouraged by email or direct contact via representatives.

Some authorities cover private hire by issuing the letter and questionnaire to operators seeking they pass them on when drivers book on or off, or via vehicle data head communications.

In all cases, we believe it is essential we document the method used clearly and measure response levels. However, it is also rare for there to be high levels of response, with 5% typically felt to be good and reasonable.

Despite contact with all drivers by email via the Council, and several reminders just one single response was received to this element of the consultation. This was from a hackney carriage driver with 12 years of service. They worked six days and 40 hours, and serviced Torquay ranks, and also obtained work from hailing. They agreed with retention of the limit but suggested that if unmet demand was found plates should increase to remove the significant unmet demand only. They were a one man band without links to radio networks.

No further comment was received.



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## 7 Evaluation of unmet demand and its significance

It is first important to define our specific view about what constitutes unmet demand. Our definition is when a person turns up at a hackney carriage rank and finds there is no vehicle there available for immediate hire. This normally leads to a queue of people building up, some of who may walk off (taken to be latent demand), whilst others will wait till a vehicle collects them. Later passengers may well arrive when there are vehicles there, but because of the queue will not obtain a vehicle immediately.

There are other instances where queues of passengers can be observed at hackney carriage ranks. This can occur when the level of demand is such that it takes longer for vehicles to move up to waiting passengers than passengers can board and move away. This often occurs at railway stations but can also occur at other ranks where high levels of passenger arrivals occur. We do not consider this is unmet demand, but geometric delay and although we note this, it is not counted towards unmet demand being significant.

The industry standard index of the significance of unmet demand (ISUD) was initiated at the time of the introduction of section 16 of the 1985 Transport Act as a numeric and consistent way of evaluating unmet demand and its significance. The ISUD methodology was initially developed by a university and then adopted by one of the leading consultant groups undertaking the surveys made necessary to enable authorities to retain their limit on hackney carriage vehicle numbers. The index has been developed and deepened over time to take into account various court challenges. It has now become accepted as the industry standard test of if identified unmet demand is significant.

The index is a statistical guide derived to evaluate if observed unmet demand is in fact significant. However, its basis is that early tests using first principles identified based on a moderate sample suggested that the level of index of 80 was the cut-off above which the index was in fact significant, and that unmet demand therefore was such that action was needed in terms of additional issue of plates to reduce the demand below this level, or a complete change of policy if it was felt appropriate. This level has been accepted as part of the industry standard. However, the index is not a strict determinant and care is needed in providing the input samples as well as interpreting the result provided. However, the index has various components which can also be used to understand what is happening in the rank-based and overall licensed vehicle market.

ISUD draws from several different parts of the study data. Each separate component of the index is designed to capture a part of the operation of the demand for hackney carriages and reflect this numerically. Whilst the principal inputs are from the rank surveys, the measure of latent demand comes from the public on-street surveys, and any final decision about if identified unmet demand is significant, or in fact about the value of continuing the current policy of restricting vehicle numbers, must be taken fully in the context of a careful balance of all the evidence gathered during the survey process.

The present ISUD calculation has two components which both could be zero. In the case that either are zero, the overall index result is zero, which means they clearly demonstrate there is no unmet demand which is significant, even if other values are high.

The first component which can be zero is the proportion of daytime hours where people are observed to have to wait for a hackney carriage to arrive. The level of wait used is ANY average wait at all within any hour. The industry definition of these hours varies, the main index user counts from 10:00 to 18:00 (i.e. eight hours ending at 17:59). The present index is clear that unmet demand cannot be significant if there are no such hours. The only rider on this component is that the sample of hours collected must include a fair element of such hours, and that if the value is non-zero, review of the potential effect of a wider sample needs to be considered.

The other component which could be zero is the test identifying the proportion of passengers which are travelling in any hour when the average passenger wait in that hour is greater than one minute.

If both of these components are non-zero, then the remaining components of the index come into play. These are the peakiness factor, the seasonality factor, average passenger delay, and the latent demand factor.

Average passenger delay is the total amount of time waited by all passengers in the sample, divided by the total number of passengers observed who entered hackney carriages.

The seasonality factor allows for the undertaking of rank survey work in periods which are not typical, although guidance is that such periods should normally be avoided if possible particularly as the impact of seasons may not just be on the level of passenger demand, but may also impact on the level of supply. This is particularly true in regard to if surveys are undertaken when schools are active or not.



Periods when schools are not active can lead to more hackney carriage vehicles being available whilst they are not required for school contract work. Such periods can also reduce hackney carriage demand with people away on holiday from the area. Generally, use of hackney carriages is higher in December in the run-up to Christmas, but much lower in January, February and the parts of July and August when more people are likely to be on holiday. The factor tends to range from 0.8 for December (factoring high demand level impacts down) to 1.2 for January / February (inflating the values from low demand levels upwards).

There can be special cases where summer demand needs to be covered, although high peaks for tourist traffic use of hackney carriages tend not to be so dominant at the current time, apart from in a few key tourist authorities.

The peakiness factor is generally either 1 (level demand generally) or 0.5 (demand has a high peak at one point during the week). This is used to allow for the difficulty of any transport system being able to meet high levels of peaking. It is rarely possible or practicable for example for any public transport system, or any road capacity, to be provided to cover a few hours a week.

The latent demand factor was added following a court case. It comes from asking people in the on-street questionnaires if they have ever given up waiting for a hackney carriage at a rank in any part of the area. This factor generally only affects the level of the index as it only ranges from 1.0 (no-one has given up) to 2.0 (everyone says they have). It is also important to check that people are quoting legitimate hackney carriage rank waits as some, despite careful questioning, quote giving up waiting at home, which must be for a private hire vehicle (even if in hackney carriage guise as there are few private homes with taxi ranks outside).

The ISUD index is the result of multiplying each of the components together and benchmarking this against the cut-off value of 80. Changes in the individual components of the index can also be illustrative. For example, the growth of daytime hour queueing can be an earlier sign of unmet demand developing than might be apparent from the proportion of people experiencing a queue particularly as the former element is based on any wait and not just that averaging over a minute. The change to a peaky demand profile can tend towards reducing the potential for unmet demand to be significant.

Finally, any ISUD value must be interpreted in the light of the sample used to feed it, as well as completely in the context of all other information gathered. Generally, the guide of the index will tend not to be overturned in regard to significant unmet demand being identified, but this cannot be assumed to be the case – the index is a guide and a part of the evidence and needs to be taken fully in context.

The table below compares the components of the index of significance of unmet demand for each survey since 2008.

Component	2018		2014	2011	2008
	All	Council only			
Average passenger delay (APD)(mins)	0.27	0.13	0.7	0.16	0.47
Off peak hours with any delay	30.59	30.88	8	0	7.2
Proportion of passengers travelling in hours with over a minute APD	5.40	5.278	5.7	1.42	15.71
Seasonal factor	1	1	1	1	1
Peak factor	1	1	1	0.5	1
Latent Demand factor	1.047	1.033	1.101	1.126	1
Index of significance of unmet demand (ISUD)	46.72	22.39	35.15	Zero	53.16

As noted above, the level determined to show unmet demand that is identified is significant is 80, albeit on a scale that is exponential, not linear. This means that the above table shows no result, at any year, that has found the observed unmet demand to be significant.

In terms of the latest survey, average passenger delay and latent demand are both reduced from the values obtained in 2014, either for the results excluding the private ranks, or for the result including all ranks (the 2014 value covered all ranks). The proportion of travellers that are within hours where there is average passenger delay for all a minute or more has marginally reduced. Other factors have remained the same, apart from the off peak proportion of hours component.

This value has increased significantly over the years of the survey, apart from it reducing to zero in 2011, which had the effect of setting the full index to zero. Current levels of this element are nearly four times greater than experienced in 2014. For many of our studies, this change is currently being observed and results from reducing demand leading to vehicles tending to work off peak from radio networks rather than from ranks, which leads to worsened daytime service at ranks with low demand. However, this does not appear to be the case for Torbay, where there has been further increases in demand observed at ranks compared over each succeeding survey.

However, on the strict rule of the ISUD test, there is no unmet demand at this time in the Torbay area that should be considered as significant. Further contextual discussion of this result follows below.



## 8 Review of disability provision and vehicle emission impacts

At the present time, there are two key factors affecting the type of vehicles within hackney carriage fleets. The first, which has been an issue over a long period, is the discussion regarding what percentage of either the hackney carriage, or the full licensed vehicle fleet should be wheel chair accessible. The second relates to the impact of recent wider Government legislation regarding need for air quality improvements.

A key part of this discussion centres on the preference by many disabled that they should be able to enjoy life as easily as their 'able-bodied' counterparts, although more recent thought has also drawn in that there can be many hidden disabilities (such as hearing impairment, or various levels of impact of a range of conditions such as arthritis), many of which may not benefit from wheel chair style vehicles and may in fact be more disadvantaged in some cases by them than by use of saloon vehicles. One clear fact has been acknowledged – there is no 'one vehicle suits all' solution for the licensed vehicle trade.

The very recently published All-Party Parliamentary Group report on licensed vehicles recognises the issue with need for improved vehicle accessibility, but suggests a solution could be a nationally set proportion of vehicles in any hackney carriage fleet that should be wheel chair accessible. Past research and thoughts over the years had recommended a level of 35% as appropriate, but this has never been widely accepted and the norm tends to be between three choices – places that determined to have a fully wheel chair accessible hackney carriage fleet, others that allow new vehicles but these must be wheel chair accessible, or a range of other ideas or policies, or indeed, for many areas, no policy at all.

The current state of the art is summarised by the last Department for Transport (DfT) statistical review of licensing. The next survey, summarising data from this April, is due out at the end of October, but the previous information based on data for March 2017 is published and available. It should be noted that the actual level of reporting for private hire is likely to be an under-report as many authorities do not record such vehicles being wheel chair accessible.

There are still authorities who are moving towards being fully wheel chair accessible, with Chester West and Cheshire being the most recent authority to achieve this that we are aware of, and Bradford before that. Of the 291 English taxi licensing authorities (excluding London), 58 (nearly 20%) have hackney carriage fleets that are fully accessible. Of these, 23 do not have any private hire that are wheel chair accessible.



Of the remaining authorities, 11 have no wheel chair accessible hackney carriages at all. Two of these in fact have no hackney carriages at all, seven have no wheel chair accessible vehicles known of on either side of the trade, and two have no wheel chair hackney carriages but some private hire WAV.

For this set of 233 authorities, some 80% of the English licensing authorities that exist, the actual average proportion of hackney carriages that are wheel chair accessible in their fleets is 22%. For this same group, the average proportion in the private hire fleet that are WAV is 5%. This statistic is a more valid proportion than the level of 41% often quoted which includes the fully WAV authorities as well.

There are 95 authorities (a third of all English authorities) who have some hackney carriage WAV but whose proportion of the fleet that is WAV is 8% or less. In these statistics, Torbay was quoted as having 7% WAV in the hackney carriage fleet and 8% in the private hire fleet.

Over the years, Torbay has sought to increase its level of WAV hackney carriages. The current level is believed to have been helped by the change in age limit on WAV from maximum eight to ten years, achieved by October 2013. Other thoughts about increasing the percentage further were formally discounted in 2017. There had been discussion of setting a target of 20%, which would have been close to the present national average for authorities without a 100% WAV fleet.

Further, the decision was made using extensive research which was partly frustrated by a lack of any feedback from users or disabled groups that there was in fact any concern about this matter. Our present study has identified no such concerns, and on the opposite side, found a good level of usage of hackney carriages by those in wheel chairs at ranks during our observations. There was a much higher level of usage observed where people appeared to have other disabilities and were assisted by drivers into vehicles at ranks.

Furthermore, we identified that one company, which happens to have the bulk of the private hire WAV vehicles allied to it, is providing a high level of service to those needing a range of WAV vehicles, but principally doing this through pre-bookings, with the bulk of such being Monday to Friday daytime. They suggest that most of their customers tend not to need WAV at other times but also do try to provide vehicles, often from the hackney carriage WAV independent fleet if customers have a particular out of weekday requirement.

There is another related issue with provision of WAV in either fleet. This arises from the fact that there are very few WAV which are 'always a WAV'. In the simplest case, the standard London Tx vehicle has ramps which are designed as detachable. They can be damaged, or not carried, which renders the vehicle



unable to act as a WAV. Whilst this is a matter of enforcement, and can therefore be resolved, many other WAV are in fact converted vehicles which outwardly might appear the same as their base equivalent. This can give rise to raised expectations for customers resulting in frustration when they seek to use a vehicle for its added facilities only to find they do not exist.

We would therefore conclude that the present level of provision and manner of provision of WAV style vehicles across the full licensed vehicle fleet in Torbay seems to be appropriate and sufficient for the bulk of current need.

However, during our research we did identify issues that might lead to future concern, or complaints that appear at odds with this conclusion. These are:

- Less WAV are available in evenings or weekends since a very high level of service is provided in the main daytime hours meaning drivers do not need, nor feel able, to work at other times
- There are perhaps up to a further 14% of the fleet, on both sides, which may appear to be WAV style but are not either willing to be quoted as such, or in fact are not fully equipped to be such. This can lead to unmet expectation on the behalf of customers, or even thoughts that they have been discriminated against when a vehicle does not stop or cannot assist.

The second issue, becoming more apparent at this time, is that of the air quality impact of the licensed vehicle fleet. Action, including legislation, by the Government seeks to improve air quality, in many cases with legal deadlines of 2020 and specific targets to be met. This impacts on the licensed vehicle trade as there are large numbers of vehicles. It further impacts, more so on the hackney carriage side, as many hackney carriages tend to be diesel vehicles, as encourage by the Government for those operating high mileage vehicles in the past. This ties in with the WAV issues since nearly all WAV style vehicles tend to be generally bigger or heavier with diesel engines being the preferred power units, with petrol options discounted as they do not provide the needed performance.

A review was undertaken of the current Torbay fleet as at September 2018 to identify its present status in various air quality performance measures.

In terms of fuel, 81% of the current fleet is diesel, 10% petrol and 8% hybrid electric, with currently just a single fully electric vehicle (in the seasonal hackney carriage fleet). Considering the hackney carriage and private hire elements separately, the hackney carriage fleet is 12% hybrid, compared to 6% for the private hire, 15% petrol (7%) and 73% diesel (86%). Whilst the proportion of hybrids is good, and higher than in many areas, the level of diesel is very high.

In many areas that are implementing Clean Air Zones, the vehicles exempted from likely charge focus on those that are either hybrid, zero emission or with a Euro 6 petrol engine. For the Torbay fleet, 21% of vehicles overall are Euro 6 diesel (19% hackney carriage and 23% private hire). A further 8% overall (12% hackney and 6% private hire) are hybrid or pure electric. 8% overall, 12% hackney carriage and 5% private hire) are Euro 4 petrol or more recent. This suggests that, were a Clean Air Zone to be applied, the present fleet would see 63% of the overall fleet (57% hackney carriage and 66% private hire) either having to change or be charged to use any such zone.

Further, in other areas, we have found that such stipulations militate against WAV, many of which tend to be more polluting diesels and principally Euro 5. A check of the September list found that none of the current WAV would meet this specification so would need to be replaced to avoid any such charges although the complexities of the Torbay area (with three distinct areas of licensed vehicle operation) may impact on the potential for any such introduction. What is clear, however, is that the impact of emission legislation on the licensed vehicle fleet needs very careful consideration.



## 9 Summary, synthesis and study conclusions

This Unmet taxi demand study on behalf of Torbay Council has been undertaken following the guidance of the BPG and other recent case history regarding unmet demand and its significance. This chapter provides a summary of the above chapters, draws them together and then provides overall conclusions. Recommendations are in the following chapter.

### ***Background and context***

This current survey of hackney carriage demand in Torbay was undertaken between May and September 2018. The study is in the context of a level of hackney carriage vehicles maintained at the same level since at least 1994, including a small number of seasonal vehicles which were available during the period our rank work was undertaken. At the present time, there has been a drop in the number of private hire vehicles more recently, as well as one seasonal licence not being reviewed, which suggests reduced levels of work for the trade. On the contrary, driver numbers had slightly increased.

The statistical background also demonstrates a small but steady proportion of the fleet are wheel chair accessible (WAV) style, with an above average level of vehicles in the private hire side of the fleet arising from a specialist company focussing on this niche market.

### ***Rank observations***

Estimation of the average weekly demand at ranks across the area suggests that there continues to be steady growth in observed rank usage, with the present value 18% higher than that in 2014, which itself was an increase from previous years. Whilst part of this may result from the surveys being undertaken closer to the Summer, it is also clear there is some clear element of growth extant.

The area continues to see active ranks in Brixham, Paignton and in several locations in Torquay. The developing Harbourside area has seen most growth in usage of its rank. At the same time, there has been some focussing of passengers and service at a lesser number of ranks, particularly those more allied to the shopping demand than leisure demand.

Demand in the area is highest on Saturdays, followed by Fridays, with much lower demand on the Thursday. Although there are high levels of usage in the early hours of Sunday morning, the profile of demand builds up to this peak



so that the overall view of demand is that it is not 'peaky' which gives vehicles better ability to service overall demand.

Despite the growth in patronage, just 9% of hours have average passenger delay of a minute or more; although this does equate to 30% of people travelling in hours with this level of delay. Overall average passenger delay was just 16 seconds, quite low.

There do, however, remain a number of smaller ranks that remain marked but have seen little or no usage for a long period. None of them are likely to result in instances of unmet demand although they would probably be best removed.

The observed usage of ranks by people in wheel chairs shows a good level of usage, and much more than in many other locations around England. There are a very high number of instances where people with apparent disabilities, but not in wheel chairs were clearly helped by drivers.

#### ***On street public views***

Recent usage of licensed vehicles at 36% was low, and down on the value obtained in 2014. This may have been a result of 43% of the sample saying they did not live in the area, and therefore increasing the level of those who would not use local licensed vehicles. The overall trip rate for licensed vehicles was also low at 1.3 trips per person per month, though the 54% of these who used hackney carriages was in fact very high. The proportion saying they used ranks had increased since 2014, to 30%, with an increase in quoted hailing as well.

The level of people not remembering they had seen a hackney carriage was relatively high at 9%, but the higher 47% who could not remember last using one is in fact lower than in many other places. This seems to suggest people have more favour for hackney carriages in the area than for private hire usage.

In terms of phoned for demand, this was dominated by a small number of companies.

Rank knowledge was not particularly good, although quoted usage of ranks named was actually high. Rankings for service provided confirmed a very good service is provided by the hackney carriage trade.

93% of those responding felt there were enough hackney carriages in the area, more so than in 2014. In the daytime nearly everyone felt safe using hackney carriages, but this value reduced to 80% for later, not a significant reduction, but a noticeable one.



In terms of use of electric or hybrid vehicles, both received fairly good support from the public, although a major concern was price, which was the only matter people said would increase their use of hackney carriage vehicles (i.e., if they were cheaper).

Some 16% of those responding were aware of the Harbourside marshals and 91% of these said they managed the queue well, with 81% saying their presence made them feel safer using hackney carriages there.

### ***Key stakeholder views***

Most key stakeholders tended to phone for vehicles for their customers, but many were also aware of ranks. There were very few issues raised of concern.

Disability stakeholders made some response, but given the large number contacted again there was little total response as has been the case over the years. Some gaps were identified by the one organisation responding but they also understood why some of these existed. Good information was provided by the company focussing on disability transport, confirming a good level of demand which they principally met by pre-booking.

### ***Trade views***

This was disappointing. The only response suggested adding more plates were unmet demand found which was significant.

### ***Formal evaluation of significance of unmet demand***

Current results show most components of the unmet demand equation have improved since 2014, despite the growth in usage. The only component which has worsened is the proportion of off peak hours that have delay at any level. This is now quite high at 30%. This can often occur due to vehicles working on telephone circuits in off peak periods when rank demand can be lighter, but in this case it could also be due to the increased demand levels observed.

Overall, the range of unmet demand index is between 22 and 47, not as high as in 2008, but higher than at any other time since, but still below the formal cut-off value of 80 that denotes formal significance of unmet demand.



### ***Disability provision***

Our review – not normally a part of unmet demand requirements – compared Torbay provision with the English authority provision where there is no stipulation that all hackney carriages must be wheel chair accessible (something currently applied by one in five English authorities). Whilst on average the level of provision in the hackney carriage fleet is 22%, that in the private hire side is just 5%. However, there are 95 authorities with the same level of hackney carriage WAV provision or less, and very few with more in the private hire fleet.

Torbay has attempted many ways to increase this level of provision but further plans were discounted in 2017. On the plus side, Torbay has a specific private hire focussed operator who sees this provision as an important niche on which they focus, albeit just Monday to Friday daytime in general as this provides sufficient demand for their fleet. They will, however, seek to provide for the small amounts of demand requested at other times.

It was identified that the observed active hackney carriage fleet near ranks had a much higher WAV percentage than the observed – but a check of the vehicle fleet identified there were vehicles that might be WAV if converted or fitted but which otherwise would appear thus, but were not. This would raise expectation for people which might be thwarted in reality if the vehicle was not actually able to take a wheel chair.

### ***Vehicle emission impacts***

In terms of air quality impact of the present fleet, 81% of the present fleet uses diesel (73% for the hackney carriage fleet), and 8% hybrid (12% for the hackney carriage fleet). Using the current 'clean vehicle' definition being quoted in most areas moving to have Clean Air zones, 57% of the present hackney carriage and 66% of the present private hire fleet would either need to change or would end up being charged to enter any such zone. This is a clear warning marker, with those areas expecting to apply change by 2020.

A more stark message is that all the current Torbay WAV vehicles, both hackney carriage and private hire, would fall outside the 'clean' definition.

### ***Synthesis***

Torbay is one of the few areas we have recently surveyed that continues to see growth in passenger numbers at ranks across its area. It also is relatively unique in having active ranks in three separate areas. The hackney carriage fleet is also more dominant than in many places where private hire is very dominant. People – though quoting low usage – seem to favour hackney carriages and make use of licensed vehicles overall.



They are a well appreciated fleet, and this extends to use by those with both wheel chair vehicle needs as well as those with other disabilities that require assistance into and out of vehicles. Despite growing patronage, service levels have been generally maintained, although there is some evidence of a move towards the levels of unmet demand heading towards becoming significant if current growth continues.

Further, this survey included the active seasonal plates. Had these not been active, there may have been unmet demand that proved significant.

### **Conclusions**

At the present time, there is no evidence that unmet demand for hackney carriages either patent (at ranks) or latent is significant. People needing licensed vehicles in the area, both able-bodied and disabled – get a good service from the fleet that exists. However, despite many improved elements of the index of significance of unmet demand, there is a trend towards the unmet demand becoming significant which almost certainly needs action before the next survey in three years time.

It is clear, therefore, that the committee could retain the current limit, and at the present level, and defend that at the present time. Evidence, however, suggests that the confidence in this situation remaining thus reduces further into the future.

The committee could take a number of actions:

- Retain the current limit and policy but instigate an interim peak ranks test no later than 18 months from any such decision
- Remove the current limit to allow market forces full sway
- Instigate managed growth, of say five plates per year
- Introduce managed growth, but of less in the first year but with granting of full-time plates to the seasonal issue
- Remove the limit but in favour of specific vehicle types which the Council wishes to see : this could be electric WAV, generally electric or other low emission vehicles or hybrids (but any diesel hybrid would need to be Euro 6 diesel)



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## 10 Recommendations

On the basis of the evidence gathered in this Unmet taxi demand study for Torbay Council, our key conclusion is that there is no evidence of any unmet demand for the services of hackney carriages either patent or latent which is significant at this point in time in the Torbay Council licensing area. The committee is therefore able to retain the limit and at its current level (but with the possible removal of the seasonal distinction).

However, taking the balance of the evidence, were such a stance to be taken we would recommend an 18-month key rank review to test if unmet demand was heading towards becoming more significant or not.

From our experience, the best conclusion from the options available would be to allow any persons wishing to invest in vehicles the Council would like to see more of in the fleet to do so. Given present concerns, nationally and specific to Torbay, this would most likely mean allowing new hackney carriage plates for:

- Any electric WAV
- Any fully electric or other low emission style vehicle
- Any hybrid vehicle as long as this was Euro 6 if diesel

The Council would need to agree its specification for these vehicles were this option to be taken.

We would still recommend a review of demand be undertaken on a three-yearly basis to ensure that policies could be developed and amended based on the outcome of the changes made.

With reference to wheel chair accessible vehicles, the available list must be kept up to date. To manage potential passenger expectations all vehicles that are fully WAV must be clearly identifiable by potential passengers – this could take the form of a large disabled sticker clearly visible, both for hackney carriage and private hire vehicles, and / or possible a different plate colour and numbering system (e.g. with a W prefix as has been used in Leeds).



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## Appendix 1 – Industry statistics

## Torbay

control of numbers began 1968 (DfT 2004)

	hcv	phv	lv total	hcd	phd	dd	total d		Ops	%hcv WAV	%phv WAV
<b>1994D</b>	162		162	275				<b>1994D</b>			
<b>1997D</b>	162	86	248	305	82		387	<b>1997D</b>		13	
<b>1999D</b>	162	95	257	350	100		450	<b>1999D</b>	98	7	
<b>2001D</b>	162	<u>153</u>	315	346	<u>170</u>		516	<b>2001D</b>	<u>141</u>	7	
<b>2004D</b>	162	210	372	312	239		551	<b>2004D</b>	183	9	
<b>2005D</b>	162	210	372	312	239		551	<b>2005D</b>	183	9	
<b>2007D</b>	162	300	462	<u>385</u>	262		647	<b>2007D</b>	283	17	
<b>2009D</b>	162	352	514	352	227		579	<b>2009D</b>	345	4	
<b>2010N</b>	162	326	488	<u>176</u>	<u>114</u>	<u>278</u>	<u>568</u>	<b>2010N</b>	<u>311</u>	2	5
<b>2011D</b>	162	298	460			556	556	<b>2011D</b>	277	7	6
<b>2012N</b>	162	315	477	-	-	<u>563</u>	563	<b>2012C</b>	<u>305</u>	4	<u>7</u>
<b>2013D</b>	162	325	487			570	570	<b>2013D</b>	332	8	6
<b>2014N</b>	162	308	470	-	-	<u>540</u>	540	<b>2014N</b>	<u>284</u>	6	6
<b>2015D</b>	162	263	425			510	510	<b>2015D</b>	235	8	7
<b>2017D</b>	162	313	475			532	532	<b>2017D</b>	317	7	8
<b>2018C</b>	162	281	443			550	550	<b>2018C</b>	248	7	8

Note: There are 7 extra seasonal hc licences issued from start of May to end of October (excluded from above)

Yellow highlighted cells are estimated values

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## Appendix 2 – List of ranks

Source: Torbay Council web site as at 21 September 2018

### Torquay

- Lymington Road (Assembly Rooms)
- Cary Parade
- Castle Circus
- Chestnut Avenue
- Lymington Road (Coach Station)
- GPO Roundabout
- Princess Theatre
- The Strand
- The Strand Bus Bays - Seaward Side
- Torwood Street
- Lymington Road (Town Hall Car Park)
- Union Street
- Victoria Parade

### Paignton

- Palace Avenue
- Torbay Road

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### Brixham

- Bank Lane
- 





**Appendix 3 – Timetable of rank observations**

*Please see separate document*

**Appendix 4 – Detailed rank observation results**

*Please see separate document*

**Appendix 5 – Detailed on street interview results**

*Please see separate document*





**Appendix 6 List of Stakeholders consulted**

<b>Key consultee</b>	<b>Response</b>
<b>Supermarkets</b>	
Waitrose, Torquay	Y
Asda, Torquay	Y
Iceland, Torquay	Y
Sainsbury's, Torquay	Y
Lidl Torquay	N
Express Babbacombe	N
Iceland, Paignton	N
Aldi, Paignton	N
Sainsbury's, Paignton	Y
Morrison's, Paignton	N
Asda, Paignton	R
Tesco Express, Brixham	N
Co-op Food, Brixham	Y
Spar Castor Road, Brixham	N
Costcutter, Summercourt Way, Brixham	N
<b>Hotels</b>	
Burleigh House, Torquay	Y
Briarfields Hotel, Torquay	Y
TLH Carlton Hotel, Torquay	Y
The Heritage Hotel, Torquay	N
Yardley Manor Hotel, Torquay	Y
Headland Hotel, Torquay	Y
Torbay Sands Hotel, Paignton	Y
Preston Sands Hotel, Paignton	Y
Roslyn Hotel, Paignton	Y
The Palace Hotel, Paignton	Y
Roslyn Guest House, Paignton	Y
Summerhill Hotel, Paignton	Y
Beecroft Lodge, Paignton	Y
Singer Guest House, Paignton	N
Aft Cottage, Brixham	N
White Horse Guest House, Brixham	N
Churston Manor, Brixham	Y
Smugglers Haunt Hotel, Brixham	Y
Ranscombe House, Brixham	Y
Sea Tang Guest House	Y
<b>Restaurants / Cafes</b>	
Memories Bistro, Torquay	N
Oriental Touch, Torquay	N
Meat 59, Torquay	N
Bistro Pierre, Torquay	N
On The Rocks, Torquay	N

Pier Point Restaurant, Torquay	Y
Quo Vadis, Paignton	Y
Richards Fish Café, Paignton	R
East in the West, Paignton	N
Resturant 59, Paignton	Y
Sky Bar and Bistro, Paignton	Y
Oak Tree Restaurant, Paignton	N
Mariners Fish and Chips, Paignton	N
Chandlers Coffee Shop, Paignton	Y
La Scale, Paignton	N
The Poop Deck Restaurant, Brixham	N
The Curious Kitchen, Brixham	N
Simply Fish, Brixham	Y
Dornans Fish and Chip Shop, Brixham	N
Port Espresso, Brixham	N
Millie and Me, Brixham	N
<b>Entertainment</b>	
Babbacombe Theatre, Torquay	N
The Little Theatre, Torquay	N
Princess Theatre, Torquay	N
Waves Leisure Pool, Torquay	N
Aztec Spa, Torquay	N
Torquay Squash and Leisure Centre	Y
Paignton Pleasure Cruises	N
Escape Paignton	N
Goodrington Quad Bikes	R
Torbay Leisure Centre, Paignton	Y
Oasis Leisure Club, Paignton	Y
Brixham Theatre, Paignton	Y
The Admiral Swimming Centre, Brixham	N
Shoalstone Outdoor Pool, Brixham	N
Grenville House Outdoor Education Centre, Brixham	N
Berry Head National Nature Reserve, Brixham	N
<b>Public Houses</b>	
Devon Dumpling, Torquay	N
The Drum Inn, Torquay	N
Bull and Bush, Torquay	N
The Cider Press, Torquay	N
Hole in the Wall, Torquay	N
Mickey Finns, Torquay	R
Seamus O'Donnels, Torquay	N
Apple and Parrot, Torquay	N
The Kent, Torquay	N
The Old Manor, Paignton	N
The Ship, Paignton	Y
Captain Jacks, Paignton	N

Inn on the Green, Paignton	Y
Spinning Wheel Inn, Paignton	Y
Winstons, Paignton	N
The Lime Tree, Paignton	N
The Torbay Inn, Paignton	N
Bell Inn, Brixham	Y
Golden Lion, Brixham	Y
The Vigilance, Brixham	Y
The Old Coaching Inn, Brixham	N
The New Quay Inn, Brixham	N
Old Market House, Brixham	N
Ernie Lister Pub and Quayside Hotel, Brixham	Y
Beamers, Brixham	N
<b>Night Clubs</b>	
EJ's Bar, Torquay	N
The Stage Door, Torquay	Y
The Foundary, Torquay	N
Decades, Torquay	N
Abanico Salsa, Torquay	N
Coast Bar, Torquay	N
Play, Torquay	N
Gallery, Paignton	N
Remedies, Paignton	N
Crazy Horse Saloon, Paignton	N
Club Fusion and Lighthouse, Paignton	N
<b>Other key stakeholder groups</b>	
Brixham Access to Community Education	N
Coalition of Disabled People South Devon	N
Karing Voluntary Group	Y
Torbay Deaf Club	N
Disability Torbay (NHS)	R
Alzheimers	N
Filo Project	N
Torbay Children Centres	N
Mencap	N
I A support	N
Young Carers Torbay	N
Lupus	N
Diabetes South Devon	N
Different Strokes	N
Dimensions for Autism	N
Dystonia	N
Torbay ED Group	N
Upton Vale Community	R
Headway Devon	N
Huntingdon's	N



ME, CFS and Fibromyalgian Society	N
Dementia Action	N
Older Citizens Forum	N
MS South Devon	N
Parkinson's	N
Torbay Parent Participation Forum	N
Bipolar Association	N
Mental Health Group	N
Tourettes Action	N
Positively Autistic	N
Guide Dogs	N
Police	N



# Study Report Appendix 3 Timetable of Observations

	Torquay								Other areas		Hours
	The Strand and feeders	Union St	Victoria Parade	PO Rd	Torwood St	Cary Parade	Cable Circus	Torquay Station, private	Brixham, Bank Lane	Paignton Station, private	
Level of usage previous survey	Top, 23%	4th, 13%	5th, 12%	6th, 8%	7th, 6%	9th, 3%	10th, 1%	8th, 4%	2nd, 16%	3rd, 15%	
hours, if not 24 hr	18 to 6										
Thursday 11:00											0
Thursday 12:00	1	1							1	1	4
Thursday 13:00	2	2							2	2	4
Thursday 14:00	3	3							3	3	4
Thursday 15:00	4	4							4	4	4
Thursday 16:00	5	5							5	5	4
Thursday 17:00	6	6							6	6	4
Thursday 18:00	7	7							7	7	4
Thursday 19:00	8	8							8	8	4
Thursday 20:00	9	9									2
Thursday 21:00	10										1
Thursday 22:00	11										1
Thursday 23:00	12										1
Thursday 00:00	13										1
Friday 01:00	14										1
Friday 02:00	15										1
Friday 03:00	16										1
Friday 04:00	17										1
Friday 05:00	18									9	2
Friday 06:00	19	10								10	2
Friday 07:00	20	11								11	3
Friday 08:00	21	12		1				1	9	12	6
Friday 09:00	22	13		2				2	10	13	6
Friday 10:00	23	14		3				3	11	14	6
Friday 11:00	24	15		4					12	15	5
Friday 12:00	25	16	1	5		1	1		13	16	8
Friday 13:00	26	17	2	6		2	2		14	17	8
Friday 14:00	27	18	3	7		3	3		15	18	8
Friday 15:00	28	19	4	8		4	4		16	19	8
Friday 16:00	29	20	5	9		5	5	4	17	20	9
Friday 17:00	30	21	6	10		6	6	5	18	21	9
Friday 18:00	31	22	7	11		7	7	6	19	22	9
Friday 19:00	32	23	8	12		8	8	7	20	23	8
Friday 20:00	33	24	9	13		9	9	8	21	24	8
Friday 21:00	34	25	10	14		10	10	9	22	25	8
Friday 22:00	35	26	11	15		11	11	10	23	26	6
Friday 23:00	36	27	12	16		12	12	11	24	27	8
Friday 00:00	37	28	13	17		13	13	12	25	28	8
Saturday 01:00	38	29	14	18		14	14	13	26	29	6
Saturday 02:00	39	30	15	19		15	15	14	27	30	6
Saturday 03:00	40	31	16	20		16	16	15	28	31	4
Saturday 04:00	41	32	17	21		17	17	16	29	32	4
Saturday 05:00	42	33	18	22		18	18	17	30	33	2
Saturday 06:00	43	34	19	23		19	19	18	31	34	2
Saturday 07:00	44	35	20	24		20	20	19	32	35	2
Saturday 08:00	45	36	21	25		21	21	20	33	36	5
Saturday 09:00	46	37	22	26		22	22	21	34	37	5
Saturday 10:00	47	38	23	27		23	23	22	35	38	5
Saturday 11:00	48	39	24	28		24	24	23	36	39	4
Saturday 12:00	49	40	25	29		25	25	24	37	40	6
Saturday 13:00	50	41	26	30		26	26	25	38	41	6
Saturday 14:00	51	42	27	31		27	27	26	39	42	6
Saturday 15:00	52	43	28	32		28	28	27	40	43	6
Saturday 16:00	53	44	29	33		29	29	28	41	44	6
Saturday 17:00	54	45	30	34		30	30	29	42	45	6
Saturday 18:00	55	46	31	35		31	31	30	43	46	6
Saturday 19:00	56	47	32	36		32	32	31	44	47	5
Saturday 20:00	57	48	33	37		33	33	32	45	48	5
Saturday 21:00	58	49	34	38		34	34	33	46	49	5
Saturday 22:00	59	50	35	39		35	35	34	47	50	5
Saturday 23:00	60	51	36	40		36	36	35	48	51	5
Saturday 00:00	61	52	37	41		37	37	36	49	52	5
Sunday 01:00	62	53	38	42		38	38	37	50	53	5
Sunday 02:00	63	54	39	43		39	39	38	51	54	5
Sunday 03:00	64	55	40	44		40	40	39	52	55	3
Sunday 04:00	65	56	41	45		41	41	40	53	56	3
Sunday 05:00	66	57	42	46		42	42	41	54	57	1
Sunday 06:00	67	58	43	47		43	43	42	55	58	1
Sunday 07:00	68	59	44	48		44	44	43	56	59	0
Sunday 08:00	69	60	45	49		45	45	44	57	60	0
Sunday 09:00	70	61	46	50		46	46	45	58	61	0
Week day	85	61	24								
Week night	17	17									
Weekend day	45	45									
Inter periods	118	65	51								
Total hours at site	37	19	16	2	300						
Total hours at site	66	36	34	38	16	13	7	6	46	38	300

2

# Study Report Appendix 4 . Rank Observation Results

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Strand	17.5.18	12	14	18	10	1.8	0	0%	10	00:11:18	00:11:18	00:33:55	00:00:04	00:01:21	1			00:01:21
Strand	17.5.18	13	10	18	10	1.8	0	0%	10	00:17:26	00:17:26	00:26:07						
Strand	17.5.18	14	9	19	8	2.4	1	11%	9	00:19:57	00:18:47	00:28:39						
Strand	17.5.18	15	13	21	12	1.8	2	14%	14	00:15:01	00:15:09	00:37:50						
Strand	17.5.18	16	6	11	7	1.6	0	0%	7	00:29:11	00:29:11	00:40:36						
Strand	17.5.18	17	8	14	6	2.3	0	0%	6	00:25:29	00:23:06	00:36:19						
Strand	17.5.18	18	10	18	10	1.8	1	9%	11	00:19:30	00:19:30	00:45:28						
Strand	17.5.18	19	9	13	9	1.4	0	0%	9	00:16:26	00:17:07	00:47:14						
Strand	17.5.18	20	9	12	9	1.3	1	10%	10	00:19:24	00:19:24	00:36:57						
Strand	17.5.18	21	8	16	6	2.7	1	14%	7	00:20:24	00:23:01	00:42:40						
Strand	17.5.18	22	18	38	20	1.9	0	0%	20	00:06:50	00:06:50	00:14:50						
Strand	17.5.18	23	27	50	25	2	0	0%	25	00:05:47	00:05:47	00:12:52						
Strand	18.5.18	0	18	19	15	1.3	2	12%	17	00:13:07	00:13:18	00:41:37						
Strand	18.5.18	1	8	16	9	1.8	1	10%	10	00:12:18	00:12:18	00:22:29						
Strand	18.5.18	2	19	35	20	1.8	1	5%	21	00:07:10	00:07:28	00:18:37	00:00:38	00:03:24	7			00:05:58
Strand	18.5.18	3	10	12	6	2	2	25%	8	00:15:37	00:18:35	00:53:35						
Strand	18.5.18	4	2	4	1	4	3	75%	4	00:06:21								
Strand	18.5.18	5	1		0		1	100%	1	00:40:17								
Strand	18.5.18	6	3	1	1	1	2	67%	3	00:06:22	00:09:11	00:09:11						
Strand	17.5.18		202	335	184	1.8	18	9%	202				00:00:05					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time, those waiting only	Average Passenger Waiting Time in Hour	Number waiting 1.1 mins or Number of people waiting 6-10 mins	Number of people waiting 1-5	Maximum passenger wait time
Strand	18.5.18	7	2	1	1	1	1	50%	2	00:06:31	00:04:07	00:04:07					
Strand	18.5.18	8	1		0		1	100%	1	00:26:37							
Strand	18.5.18	9	7	4	4	1	0	0%	4	00:35:30	00:37:22	01:23:08					
Strand	18.5.18	10	3		0		1	100%	1	00:56:44	00:56:44	01:09:30					
Strand	18.5.18	11	6	11	7	1.6	0	0%	7	00:46:43	00:44:54	01:00:30					
Strand	18.5.18	12	6	6	5	1.2	1	17%	6	00:46:10	00:46:10	00:54:19					
Strand	18.5.18	13	7	8	6	1.3	1	14%	7	00:27:08	00:26:48	00:41:17					
Strand	18.5.18	14	10	13	8	1.6	2	20%	10	00:20:15	00:20:06	00:36:51					
Strand	18.5.18	15	18	20	16	1.2	2	11%	18	00:11:50	00:12:03	00:23:35					
Strand	18.5.18	16	9	14	9	1.6	0	0%	9	00:26:00	00:26:00	00:33:01					
Strand	18.5.18	17	17	31	16	1.9	1	6%	17	00:11:52	00:12:18	00:28:41					
Strand	18.5.18	18	12	22	11	2	1	8%	12	00:13:42	00:13:38	00:31:50					
Strand	18.5.18	19	13	29	11	2.6	2	15%	13	00:18:35	00:18:14	00:30:43					
Strand	18.5.18	20	15	29	14	2.1	1	7%	15	00:12:37	00:12:59	00:22:00					
Strand	18.5.18	21	17	34	16	2.1	1	6%	17	00:15:36	00:15:46	00:26:41					
Strand	18.5.18	22	30	61	30	2	0	0%	30	00:07:12	00:07:12	00:14:28					
Strand	18.5.18	23	42	72	42	1.7	0	0%	42	00:05:23	00:05:23	00:11:51					
Strand	19.5.18	0	59	94	59	1.6	0	0%	59	00:03:43	00:03:43	00:09:01					
Strand	19.5.18	1	60	108	60	1.8	0	0%	60	00:03:41	00:03:41	00:08:15					
Strand	19.5.18	2	73	121	73	1.7	0	0%	73	00:03:01	00:03:01	00:08:29					
Strand	19.5.18	3	55	108	55	2	1	2%	56	00:03:16	00:02:51	00:17:34	00:00:03	00:01:07	5		00:01:12
Strand	19.5.18	4	5	4	4	1	3	43%	7	00:17:07	00:14:11	00:19:53					
Strand	19.5.18	5	3		0		3	100%	3	00:42:06							
Strand	19.5.18	6	3	1	1	1	3	75%	4	00:07:28	00:04:31	00:04:31					
Strand	18.5.18		473	791	448	1.8	25	5%	473				00:00:00				

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time, those waiting only	Average Passenger Waiting Time In Hour	Number of people waiting 1-10 minutes	Number of people waiting 11 mins or more	Maximum passenger wait time
Strand	19.5.18	7	2	1	1	1	0	0%	1	00:13:42	00:02:45	00:02:45					
Strand	19.5.18	8	1	1	1	1	1	50%	2	00:37:54	00:37:54	00:37:54					
Strand	19.5.18	9	9	4	3	1.3	4	57%	7	00:07:19	00:11:42	00:22:48					
Strand	19.5.18	10	9	5	4	1.2	2	33%	6	00:19:25	00:19:39	00:25:58					
Strand	19.5.18	11	12	15	12	1.2	3	20%	15	00:12:42	00:12:59	00:22:03					
Strand	19.5.18	12	10	15	9	1.7	0	0%	9	00:16:14	00:16:14	00:28:29					
Strand	19.5.18	13	15	35	16	2.2	1	6%	17	00:09:20	00:09:30	00:24:50					
Strand	19.5.18	14	18	35	13	2.7	3	19%	16	00:08:38	00:07:49	00:26:41					
Strand	19.5.18	15	24	50	23	2.2	2	8%	25	00:08:57	00:08:46	00:19:41					
Strand	19.5.18	16	26	58	24	2.4	3	11%	27	00:05:18	00:04:24	00:18:04	00:01:45	00:03:20	31		00:05:27
Strand	19.5.18	17	21	36	19	1.9	0	0%	19	00:09:53	00:09:53	00:28:00					
Strand	19.5.18	18	17	37	15	2.5	0	0%	15	00:16:26	00:16:26	00:40:56					
Strand	19.5.18	19	53	107	51	2.1	2	4%	53	00:02:41	00:02:39	00:20:21	00:00:15	00:02:03	14		00:03:56
Strand	19.5.18	20	27	54	28	1.9	0	0%	28	00:06:36	00:06:36	00:16:16					
Strand	19.5.18	21	44	82	44	1.9	0	0%	44	00:03:16	00:03:16	00:09:40					
Strand	19.5.18	22	84	168	85	2	3	3%	88	00:01:26	00:01:27	00:04:40	00:00:14	00:02:20	18		00:03:46
Strand	19.5.18	23	120	209	117	1.8	1	1%	118	00:01:06	00:01:06	00:05:22	00:00:14	00:02:32	20		00:05:32
Strand	20.5.18	0	157	264	155	1.7	1	1%	156	00:01:16	00:01:16	00:04:28	00:00:16	00:02:26	29		00:03:35
Strand	20.5.18	1	162	319	161	2	0	0%	161	00:00:48	00:00:48	00:05:10	00:00:37	00:02:00	## 1		00:06:14
Strand	20.5.18	2	175	355	177	2	0	0%	177	00:01:37	00:01:37	00:03:38	00:00:14	00:02:09	38		00:05:01
Strand	20.5.18	3	126	263	128	2.1	0	0%	128	00:03:18	00:03:18	00:07:33	00:00:06	00:01:49	15		00:02:41
Strand	20.5.18	4	22	36	17	2.1	5	23%	22	00:07:30	00:07:44	00:20:17					
Strand	20.5.18	5	6	2	2	1	4	67%	6	00:11:40	00:02:43	00:05:04	00:00:45	00:01:31	1		00:01:31
Strand	20.5.18	6	2	1	1	1	1	50%	2	00:30:59	00:47:34	00:47:34					
Strand	19.5.18		1142	2152	1106	1.9	36	3%	1142				00:00:17				

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Union St	17.5.18	12	33	32	26	1.2	2	7%	28	00:04:12	00:03:48	00:14:43	00:00:04	00:01:14	2			00:01:14
Union St	17.5.18	13	37	46	35	1.3	0	0%	35	00:10:50	00:10:50	00:20:44						
Union St	17.5.18	14	22	34	24	1.4	3	11%	27	00:14:10	00:14:35	00:28:26						
Union St	17.5.18	15	27	29	23	1.3	1	4%	24	00:08:26	00:08:29	00:15:12						
Union St	17.5.18	16	27	32	26	1.2	1	4%	27	00:15:43	00:15:45	00:24:15						
Union St	17.5.18	17	13	17	14	1.2	3	18%	17	00:14:30	00:12:43	00:28:38	00:00:04	00:01:27	1			00:01:27
Union St	17.5.18	18	5	6	5	1.2	1	17%	6	00:11:58	00:14:11	00:16:37						
Union St	17.5.18	19																
Union St	17.5.18	20																
Union St	17.5.18		164	196	153	1.3	11	7%	164				00:00:01					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Union St	18.5.18	7	3	1	1	1	2	67%	3	00:00:04	00:00:14	00:00:14	00:01:58	00:01:58	1			00:01:58
Union St	18.5.18	8	14	12	8	1.5	2	20%	10	00:12:34	00:12:15	00:31:20	00:02:28	00:05:56	4	1		00:10:19
Union St	18.5.18	9	21	14	12	1.2	4	25%	16	00:20:55	00:21:00	00:28:45						
Union St	18.5.18	10	17	21	18	1.2	1	5%	19	00:27:08	00:27:46	00:37:57						
Union St	18.5.18	11	22	23	18	1.3	2	10%	20	00:26:49	00:26:51	00:33:16						
Union St	18.5.18	12	29	36	31	1.2	0	0%	31	00:13:10	00:13:09	00:26:59						
Union St	18.5.18	13	27	37	28	1.3	2	7%	30	00:13:01	00:13:08	00:17:49						
Union St	18.5.18	14	30	32	26	1.2	3	10%	29	00:09:57	00:10:07	00:15:51						
Union St	18.5.18	15	24	32	25	1.3	0	0%	25	00:06:00	00:06:00	00:10:35	00:00:20	00:05:20	2			00:05:20
Union St	18.5.18	16	34	51	35	1.5	0	0%	35	00:05:35	00:05:35	00:13:56	00:00:16	00:02:52	5			00:03:41
Union St	18.5.18	17	32	44	29	1.5	3	9%	32	00:06:39	00:06:16	00:18:01	00:00:03	00:01:24	2			00:01:24
Union St	18.5.18	18	3	6	4	1.5	2	33%	6	00:03:34	00:03:11	00:03:11						
Union St	18.5.18	19																
Union St	18.5.18	20																
Union St	18.5.18		256	309	235	1.3	21	8%	256				00:00:12					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Union St	19.5.18	7	4	1	1	1	2	67%	3	00:01:56	00:02:20	00:04:41	00:02:36	00:05:13	1			00:05:13
Union St	19.5.18	8	7	6	5	1.2	0	0%	5	00:17:58	00:17:52	00:24:24						
Union St	19.5.18	9	13	13	10	1.3	4	29%	14	00:07:13	00:07:49	00:28:04	00:00:28	00:02:03	3			00:02:54
Union St	19.5.18	10	18	15	15	1	1	6%	16	00:11:57	00:11:46	00:17:21						
Union St	19.5.18	11	28	30	22	1.4	2	8%	24	00:12:01	00:12:30	00:27:26						
Union St	19.5.18	12	22	27	21	1.3	1	5%	22	00:12:19	00:11:38	00:21:53						
Union St	19.5.18	13	14	20	15	1.3	4	21%	19	00:19:19	00:19:37	00:27:30						
Union St	19.5.18	14	23	23	18	1.3	1	5%	19	00:15:54	00:15:29	00:24:10						
Union St	19.5.18	15	20	28	22	1.3	3	12%	25	00:12:02	00:11:34	00:18:32						
Union St	19.5.18	16	22	24	19	1.3	2	10%	21	00:03:55	00:03:50	00:12:33	00:01:10	00:04:03	5	2		00:07:00
Union St	19.5.18	17	9	13	11	1.2	1	8%	12	00:15:10	00:14:51	00:23:33						
Union St	19.5.18	18	3	4	3	1.3	0	0%	3	00:01:09	00:01:09	00:01:31	00:03:25	00:04:33	3			00:04:59
Union St	19.5.18	19																
Union St	19.5.18	20																
Union St	19.5.18		183	204	162	1.3	21	12%	183				00:00:16					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Victoria Pde	18.5.18	12	13	4	4	1	5	56%	9	00:18:07	00:18:04	00:33:16						
Victoria Pde	18.5.18	13	13	9	7	1.3	8	53%	15	00:15:51	00:19:46	00:28:21						
Victoria Pde	18.5.18	14	6	7	5	1.4	2	29%	7	00:06:56	00:06:33	00:15:57	00:02:21	00:05:30	2	1		00:07:55
Victoria Pde	18.5.18	15	12	2	2	1	9	82%	11	00:07:48	00:07:16	00:14:43						
Victoria Pde	18.5.18	16	8	8	6	1.3	3	33%	9	00:15:02	00:15:01	00:27:58						
Victoria Pde	18.5.18	17	9	14	7	2	3	30%	10	00:04:59	00:05:47	00:12:01	00:00:18	00:04:16	1			00:04:16
Victoria Pde	18.5.18	18	16	13	7	1.9	7	50%	14	00:08:08	00:07:29	00:18:42						
Victoria Pde	18.5.18	19	12	12	7	1.7	5	42%	12	00:13:14	00:12:41	00:21:38						
Victoria Pde	18.5.18	20	23	25	14	1.8	8	36%	22	00:07:43	00:06:41	00:13:18						
Victoria Pde	18.5.18	21	24	34	15	2.3	5	25%	20	00:11:51	00:12:58	00:27:16						
Victoria Pde	18.5.18	22	14	28	13	2.2	3	19%	16	00:19:48	00:21:18	00:36:43						
Victoria Pde	18.5.18	23	21	38	17	2.2	3	15%	20	00:20:07	00:19:55	00:35:01						
Victoria Pde	19.5.18	0	22	38	21	1.8	4	16%	25	00:07:02	00:07:16	00:22:35						
Victoria Pde	19.5.18	1	15	29	15	1.9	1	6%	16	00:11:09	00:09:28	00:21:56						
Victoria Pde	19.5.18	2	9	16	7	2.3	4	36%	11	00:08:51	00:06:42	00:19:55						
Victoria Pde	19.5.18	3	2	4	1	4	1	50%	2	00:01:03	00:00:47	00:00:47						
Victoria Pde	19.5.18	4																
Victoria Pde	18.5.18		219	281	148	1.9	71	32%	219				00:00:04					

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Victoria Pde	19.5.18	12	9	2	1	2	8	89%	9	00:04:07	00:00:00	00:00:00						
Victoria Pde	19.5.18	13	11	6	3	2	7	70%	10	00:10:16	00:03:22	00:08:17	00:00:20	00:01:00	2			00:01:00
Victoria Pde	19.5.18	14	14	14	6	2.3	7	54%	13	00:06:48	00:05:59	00:07:37						
Victoria Pde	19.5.18	15	19	21	11	1.9	8	42%	19	00:06:30	00:06:38	00:11:42						
Victoria Pde	19.5.18	16	9	10	7	1.4	4	36%	11	00:04:39	00:03:44	00:14:45	00:01:06	00:02:12	5			00:05:41
Victoria Pde	19.5.18	17	12	15	7	2.1	4	36%	11	00:07:07	00:07:17	00:19:51						
Victoria Pde	19.5.18	18	16	17	10	1.7	3	23%	13	00:08:42	00:08:50	00:19:54						
Victoria Pde	19.5.18	19	16	25	13	1.9	5	28%	18	00:03:30	00:03:36	00:12:26	00:00:40	00:02:24	7			00:02:43
Victoria Pde	19.5.18	20	18	28	16	1.8	3	16%	19	00:07:01	00:06:45	00:12:52						
Victoria Pde	19.5.18	21	29	49	24	2	2	8%	26	00:03:10	00:03:06	00:08:23	00:00:21	00:02:10	8			00:02:38
Victoria Pde	19.5.18	22	24	57	26	2.2	1	4%	27	00:02:19	00:02:18	00:10:29	00:00:43	00:03:01	15			00:04:10
Victoria Pde	19.5.18	23	23	37	21	1.8	3	12%	24	00:01:10	00:01:14	00:05:21	00:01:31	00:05:45	7	2		00:15:52
Victoria Pde	20.5.18	0	8	9	6	1.5	2	25%	8	00:01:01	00:01:10	00:02:29	00:07:50	00:07:50	4	2	1	00:18:56
Victoria Pde	20.5.18	1	6	10	5	2	1	17%	6	00:00:32	00:00:35	00:00:44	00:02:57	00:03:41	8			00:05:18
Victoria Pde	20.5.18	2	3	4	3	1.3	0	0%	3	00:01:06	00:01:06	00:02:18	00:12:11	00:12:11	1	6		00:14:47
Victoria Pde	20.5.18	3	5	5	3	1.7	2	40%	5	00:01:37	00:01:45	00:02:56	00:03:56	00:03:56	2			00:03:56
Victoria Pde	20.5.18	4																
<b>Victoria Pde</b>	<b>19.5.18</b>		<b>222</b>	<b>309</b>	<b>162</b>	<b>1.9</b>	<b>60</b>	<b>27%</b>	<b>222</b>				<b>00:01:03</b>					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
P O Rbt	18.5.18	8	3	7	3	2.3	0	0%	3	00:08:54	00:08:54	00:19:07						
P O Rbt	18.5.18	9	7	4	4	1	1	20%	5	00:14:09	00:16:10	00:24:30						
P O Rbt	18.5.18	10	7	2	2	1	2	50%	4	00:38:05	00:43:52	00:53:54						
P O Rbt	18.5.18	11	8	18	12	1.5	0	0%	12	00:17:56	00:17:56	00:31:47						
P O Rbt	18.5.18	12	15	13	10	1.3	1	9%	11	00:19:39	00:18:56	00:36:44						
P O Rbt	18.5.18	13	14	24	19	1.3	0	0%	19	00:08:55	00:08:55	00:21:03	00:00:02	00:01:00	1			00:01:00
P O Rbt	18.5.18	14	13	11	10	1.1	0	0%	10	00:16:33	00:16:33	00:39:40						
P O Rbt	18.5.18	15	15	25	17	1.5	0	0%	17	00:03:16	00:02:29	00:10:46	00:03:05	00:05:56	7	6		00:09:13
P O Rbt	18.5.18	16	10	14	10	1.4	1	9%	11	00:17:29	00:17:29	00:30:31	00:01:34	00:08:55	3			00:10:30
P O Rbt	18.5.18	17	21	23	17	1.4	0	0%	17	00:08:17	00:08:17	00:20:54	00:00:41	00:02:47	4	1		00:06:24
P O Rbt	18.5.18	18	8	15	10	1.5	0	0%	10	00:09:26	00:09:26	00:18:07						
P O Rbt	18.5.18	19	8	10	6	1.7	2	25%	8	00:18:53	00:13:45	00:31:50						
P O Rbt	18.5.18	20	2	4	2	2	2	50%	4	00:10:53	00:11:00	00:11:00						
P O Rbt	18.5.18	21	5	8	5	1.6	0	0%	5	00:09:13	00:09:13	00:16:55						
P O Rbt	18.5.18	22	3	2	2	1	0	0%	2	00:15:52	00:15:52	00:17:33						
P O Rbt	18.5.18	23	2	2	1	2	2	67%	3	00:01:57								
P O Rbt	19.5.18	0																
P O Rbt	19.5.18	1																
P O Rbt	19.5.18	2																
P O Rbt	18.5.18		141	182	130	1.4	11	8%	141				00:00:39					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time, those waiting only	Average Passenger Waiting Time in Hour	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
P O Rbt	19.5.18	8	3	1	1	1	1	50%	2	00:22:01	00:25:12	00:29:55						
P O Rbt	19.5.18	9	4	5	4	1.2	0	0%	4	00:08:00	00:08:00	00:20:21	00:01:46	00:02:58	3			00:05:51
P O Rbt	19.5.18	10	6	6	5	1.2	1	17%	6	00:10:42	00:10:51	00:17:17	00:01:53	00:11:19		1		00:11:19
P O Rbt	19.5.18	11	8	7	6	1.2	0	0%	6	00:20:54	00:19:48	00:37:37						
P O Rbt	19.5.18	12	8	6	4	1.5	2	33%	6	00:22:16	00:21:10	00:33:49						
P O Rbt	19.5.18	13	8	12	7	1.7	2	22%	9	00:17:49	00:18:48	00:29:51	00:00:36	00:01:49	4			00:01:49
P O Rbt	19.5.18	14	9	15	10	1.5	0	0%	10	00:12:54	00:12:54	00:22:59	00:00:15	00:03:51	1			00:03:51
P O Rbt	19.5.18	15	17	27	17	1.6	0	0%	17	00:09:18	00:09:18	00:17:02	00:00:09	00:01:28	3			00:01:28
P O Rbt	19.5.18	16	7	16	9	1.8	1	10%	10	00:24:59	00:26:03	00:30:09	00:00:13	00:03:47	1			00:03:47
P O Rbt	19.5.18	17	9	12	8	1.5	0	0%	8	00:15:32	00:15:32	00:28:53						
P O Rbt	19.5.18	18	4	7	4	1.8	0	0%	4	00:13:27	00:13:27	00:20:40						
P O Rbt	19.5.18	19	5	8	5	1.6	0	0%	5	00:02:52	00:02:52	00:09:46						
P O Rbt	19.5.18	20	8	8	6	1.3	2	25%	8	00:07:05	00:06:48	00:19:29	00:00:33	00:02:13	2			00:02:13
P O Rbt	19.5.18	21	8	18	8	2.2	1	11%	9	00:06:32	00:04:22	00:24:23	00:00:18	00:05:39	1			00:05:39
P O Rbt	19.5.18	22	2		0		2	100%	2	00:11:56								
P O Rbt	19.5.18	23																
P O Rbt	20.5.18	0																
P O Rbt	20.5.18	1																
P O Rbt	20.5.18	2																
P O Rbt	19.5.18		106	148	94	1.6	12	11%	106				00:00:20					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 5-10 mins	Number waiting 11 mins or more	Maximum passenger wait time	
Torwood St	18.5.18	22	1		0		1	100%	1	00:00:45									
Torwood St	18.5.18	23																	
Torwood St	19.5.18	0	2	3	1	3	1	50%	2	00:01:28	00:00:30	00:00:30							
Torwood St	19.5.18	1																	
Torwood St	19.5.18	2																	
Torwood St	19.5.18	3	1	1	1	1	0	0%	1	00:00:30	00:00:30	00:00:30	00:01:36	00:01:36	1			00:01:36	
Torwood St	18.5.18		4	4	2	2	2	50%	4				00:00:24						

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Torwood St	19.5.18	22	2	2	1	2	1	50%	2	00:00:35	00:00:31	00:00:31	00:12:48	00:12:48	2		2	00:12:48
Torwood St	19.5.18	23	1		0		1	100%	1	00:00:47								
Torwood St	20.5.18	0	1	2	1	2	0	0%	1	00:02:20	00:02:20	00:02:20						
Torwood St	20.5.18	1	2	5	2	2.5	0	0%	2	00:01:39	00:01:39	00:01:41						
Torwood St	20.5.18	2	2	4	2	2	0	0%	2	00:05:01	00:05:01	00:05:45						
Torwood St	20.5.18	3																
Torwood St	20.5.18	4																
Torwood St	20.5.18	5																
Torwood St	19.5.18		8	13	6	2.2	2	25%	8				00:01:58					

Location	Date	Hour	Maximum passenger walk time							Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those walking only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number of people waiting 11 mins or more
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty										
Cary Pde	18.5.18	12	6	2	1	2	3	75%	4	00:13:56	00:22:10	00:22:10						
Cary Pde	18.5.18	13	5	1	1	1	5	83%	6	00:10:45	00:13:03	00:19:05						
Cary Pde	18.5.18	14	3	4	2	2	2	50%	4	00:12:24	00:10:41	00:10:41						
Cary Pde	18.5.18	15	8		0	5	5	100%	5	00:21:35	00:45:22	00:45:22						
Cary Pde	18.5.18	16	6	3	2	1.5	5	71%	7	00:27:40	00:37:06	00:38:20						
Cary Pde	18.5.18	17	12	12	6	2	5	45%	11	00:10:51	00:09:10	00:18:23						
Cary Pde	18.5.18	18	10	9	5	1.8	8	62%	13	00:08:02	00:07:06	00:11:34						
Cary Pde	18.5.18		50	31	17	1.8	33	66%	50				00:00:00					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Cary Pde	19.5.18	12	7	2	1	2	6	86%	7	00:03:09	00:00:00	00:00:00	00:02:40	00:02:40	2			00:02:40
Cary Pde	19.5.18	13	10	4	2	2	8	80%	10	00:07:44	00:06:17	00:11:56						
Cary Pde	19.5.18	14	9	8	3	2.7	6	67%	9	00:10:31	00:03:38	00:08:30	00:00:26	00:01:09	3			00:01:09
Cary Pde	19.5.18	15	11	9	5	1.8	6	55%	11	00:12:48	00:10:29	00:23:42						
Cary Pde	19.5.18	16	4	4	3	1.3	1	25%	4	00:17:14	00:14:55	00:25:19						
Cary Pde	19.5.18	17	3	6	2	3	1	33%	3	00:04:06	00:02:47	00:03:23						
<b>Cary Pde</b>	<b>19.5.18</b>		<b>44</b>	<b>33</b>	<b>16</b>	<b>2.1</b>	<b>28</b>	<b>64%</b>	<b>44</b>				<b>00:00:16</b>					

Location	Date	Hour	Maximum passenger wait time									
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures			
Castle Circus	18.5.18	12	1	1	1	1	0	0%	1	00:17:51	00:17:51	00:17:51
Castle Circus	18.5.18	13	1		0		1	100%	1	00:08:40		
Castle Circus	18.5.18	14										
Castle Circus	18.5.18	15										
Castle Circus	18.5.18	16	1		0		1	100%	1	00:00:53		
Castle Circus	18.5.18	17	1		0		1	100%	1	00:11:18		
Castle Circus	18.5.18	18										
Castle Circus	18.5.18		4	1	1	1	3	75%	4			00:00:00

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Brix, Bank Ln	17.5.18	12	20	23	15	1.5	3	17%	18	00:06:43	00:06:22	00:18:44	00:00:06	00:01:12	2			00:01:17
Brix, Bank Ln	17.5.18	13	20	26	20	1.3	2	9%	22	00:07:08	00:06:51	00:19:11	00:00:08	00:01:51	2			00:01:51
Brix, Bank Ln	17.5.18	14	17	18	12	1.5	4	25%	16	00:07:15	00:05:14	00:14:58	00:00:47	00:02:03	8			00:03:24
Brix, Bank Ln	17.5.18	15	25	33	23	1.4	2	8%	25	00:02:55	00:02:53	00:10:50	00:01:35	00:03:48	10	3		00:06:55
Brix, Bank Ln	17.5.18	16	17	21	14	1.5	2	12%	16	00:02:58	00:03:02	00:10:29	00:01:17	00:02:53	9			00:04:41
Brix, Bank Ln	17.5.18	17	13	21	15	1.4	0	0%	15	00:03:50	00:03:50	00:11:05	00:00:54	00:04:44	2	2		00:06:04
Brix, Bank Ln	17.5.18	18	11	12	9	1.3	0	0%	9	00:10:15	00:10:15	00:27:07	00:00:22	00:04:33	1			00:04:33
Brix, Bank Ln	17.5.18	19	10	19	11	1.7	1	8%	12	00:03:50	00:04:05	00:10:16	00:00:15	00:05:02	1			00:05:02
<b>Brix, Bank Ln</b>	<b>17.5.18</b>		<b>133</b>	<b>173</b>	<b>119</b>	<b>1.5</b>	<b>14</b>	<b>11%</b>	<b>133</b>				<b>00:00:44</b>					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 3-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Brix, Bank Ln	18.5.18	8	13	3	3	1	8	73%	11	00:05:47	00:04:05	00:07:09						
Brix, Bank Ln	18.5.18	9	18	13	13	1	6	32%	19	00:08:10	00:08:58	00:21:02						
Brix, Bank Ln	18.5.18	10	20	10	10	1	7	41%	17	00:11:08	00:12:34	00:21:58						
Brix, Bank Ln	18.5.18	11	19	25	21	1.2	2	9%	23	00:08:15	00:08:29	00:28:48						
Brix, Bank Ln	18.5.18	12	27	26	21	1.2	3	12%	24	00:06:24	00:06:19	00:19:17						
Brix, Bank Ln	18.5.18	13	22	32	21	1.5	1	5%	22	00:08:54	00:08:07	00:15:33	00:00:05	00:01:28	2			00:01:28
Brix, Bank Ln	18.5.18	14	16	16	14	1.1	4	22%	18	00:09:02	00:09:23	00:14:20						
Brix, Bank Ln	18.5.18	15	22	31	21	1.5	1	5%	22	00:05:07	00:04:58	00:16:48	00:00:43	00:01:36	13			00:03:18
Brix, Bank Ln	18.5.18	16	26	34	23	1.5	2	8%	25	00:03:44	00:03:22	00:10:21	00:00:54	00:02:23	13			00:04:59
Brix, Bank Ln	18.5.18	17	22	24	18	1.3	2	10%	20	00:08:52	00:08:51	00:15:24						
Brix, Bank Ln	18.5.18	18	21	36	19	1.9	3	14%	22	00:06:49	00:06:36	00:12:21						
Brix, Bank Ln	18.5.18	19	18	33	16	2.1	2	11%	18	00:11:43	00:10:32	00:39:07						
Brix, Bank Ln	18.5.18	20	12	13	7	1.9	5	42%	12	00:05:56	00:05:27	00:09:16						
Brix, Bank Ln	18.5.18	21	17	27	13	2.1	3	19%	16	00:12:18	00:12:23	00:24:15	00:00:20	00:02:15	4			00:02:44
Brix, Bank Ln	18.5.18	22	24	50	27	1.9	1	4%	28	00:04:18	00:04:16	00:09:53	00:00:18	00:02:37	6			00:03:21
Brix, Bank Ln	18.5.18	23	18	28	15	1.9	3	17%	18	00:04:20	00:04:42	00:16:31	00:00:26	00:02:29	5			00:02:57
Brix, Bank Ln	19.5.18	0	12	14	8	1.8	1	11%	9	00:13:08	00:12:52	00:20:18						
Brix, Bank Ln	19.5.18	1	2	6	5	1.2	0	0%	5	00:05:55	00:05:55	00:10:24						
Brix, Bank Ln	19.5.18	2																
Brix, Bank Ln	18.5.18		329	421	275	1.5	54	16%	329				00:00:13					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Brix, Bank Ln	19.5.18	8	8	4	4	1	3	43%	7	00:11:50	00:08:04	00:21:13						
Brix, Bank Ln	19.5.18	9	11	8	8	1	3	27%	11	00:09:55	00:10:41	00:20:25						
Brix, Bank Ln	19.5.18	10	14	16	12	1.3	3	20%	15	00:03:46	00:03:46	00:10:49	00:00:03	00:01:00	1			00:01:00
Brix, Bank Ln	19.5.18	11	29	33	25	1.3	1	4%	26	00:04:31	00:04:05	00:12:11	00:00:10	00:01:29	4			00:01:55
Brix, Bank Ln	19.5.18	12	17	18	14	1.3	4	22%	18	00:08:29	00:08:39	00:25:22						
Brix, Bank Ln	19.5.18	13	15	20	13	1.5	0	0%	13	00:12:50	00:12:02	00:31:51						
Brix, Bank Ln	19.5.18	14	17	16	12	1.3	6	33%	18	00:06:59	00:07:28	00:16:05						
Brix, Bank Ln	19.5.18	15	25	37	23	1.6	1	4%	24	00:04:55	00:04:51	00:10:59	00:00:12	00:02:29	3			00:02:45
Brix, Bank Ln	19.5.18	16	16	23	15	1.5	2	12%	17	00:09:39	00:09:19	00:17:56						
Brix, Bank Ln	19.5.18	17	13	33	14	2.4	2	12%	16	00:08:29	00:08:44	00:15:49	00:00:16	00:02:36	3			00:02:39
Brix, Bank Ln	19.5.18	18	16	28	11	2.5	3	21%	14	00:09:55	00:08:54	00:22:12						
Brix, Bank Ln	19.5.18	19	12	11	7	1.6	3	30%	10	00:16:53	00:18:46	00:38:48						
Brix, Bank Ln	19.5.18	20	14	25	14	1.8	2	12%	16	00:08:01	00:08:49	00:12:32						
Brix, Bank Ln	19.5.18	21	22	46	21	2.2	2	9%	23	00:07:17	00:07:10	00:16:30						
Brix, Bank Ln	19.5.18	22	25	47	23	2	2	8%	25	00:05:12	00:05:01	00:13:04	00:00:11	00:01:44	5			00:02:19
Brix, Bank Ln	19.5.18	23	26	47	23	2	1	4%	24	00:05:23	00:05:23	00:14:10	00:00:05	00:02:11	2			00:02:11
Brix, Bank Ln	20.5.18	0	23	44	24	1.8	1	4%	25	00:03:41	00:03:44	00:11:04	00:00:37	00:02:58	10			00:04:08
Brix, Bank Ln	20.5.18	1	7	10	7	1.4	0	0%	7	00:14:42	00:14:42	00:34:17						
Brix, Bank Ln	20.5.18	2	1	2	2	1	0	0%	2	00:25:42	00:25:42	00:25:42						
<b>Brix, Bank Ln</b>	<b>19.5.18</b>		<b>311</b>	<b>468</b>	<b>272</b>	<b>1.7</b>	<b>39</b>	<b>13%</b>	<b>311</b>				<b>00:00:08</b>					



Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Pntn Stn, priv	17.5.18	12	14	11	10	1.1	1	9%	11	00:11:39	00:11:53	00:24:54	00:00:06	00:01:15	1			00:01:15
Pntn Stn, priv	17.5.18	13	16	23	19	1.2	0	0%	19	00:06:59	00:06:59	00:42:38						
Pntn Stn, priv	17.5.18	14	21	24	19	1.3	2	10%	21	00:13:37	00:12:56	00:30:31						
Pntn Stn, priv	17.5.18	15	19	29	19	1.5	0	0%	19	00:07:49	00:07:49	00:15:26	00:00:32	00:02:22	7			00:05:00
Pntn Stn, priv	17.5.18	16	20	25	17	1.5	0	0%	17	00:13:36	00:13:36	00:31:51	00:01:48	00:05:11	7	1		00:07:49
Pntn Stn, priv	17.5.18	17	16	27	18	1.5	1	5%	19	00:07:12	00:07:40	00:16:26	00:01:05	00:06:06	5			00:06:09
Pntn Stn, priv	17.5.18	18	12	13	10	1.3	0	0%	10	00:10:30	00:10:30	00:19:20						
Pntn Stn, priv	17.5.18	19	6	9	8	1.1	0	0%	8	00:10:06	00:10:06	00:18:58	00:01:04	00:02:50	3			00:04:33
Pntn Stn, priv	17.5.18		124	161	120	1.3	4	3%	124				00:00:37					

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time In Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting & in vehicle	Number of people waiting 11 mins	Maximum passenger wait time
Pntn Stn, priv	18.5.18	5															
Pntn Stn, priv	18.5.18	6															
Pntn Stn, priv	18.5.18	7	1	2	1	2	0	0%	1	00:00:21	00:00:21	00:00:21	00:06:19	00:06:19	2	1	00:13:48
Pntn Stn, priv	18.5.18	8	4	2	2	1	0	0%	2	00:09:12	00:09:12	00:18:11	00:03:42	00:03:42	1		00:03:42
Pntn Stn, priv	18.5.18	9	14	14	13	1.1	1	7%	14	00:07:55	00:07:41	00:15:17					
Pntn Stn, priv	18.5.18	10	18	15	13	1.2	0	0%	13	00:20:25	00:19:54	00:28:54					
Pntn Stn, priv	18.5.18	11	18	13	13	1	5	28%	18	00:28:37	00:29:31	00:38:17					
Pntn Stn, priv	18.5.18	12	21	26	22	1.2	0	0%	22	00:13:35	00:13:35	00:31:41					
Pntn Stn, priv	18.5.18	13	29	30	26	1.2	0	0%	26	00:16:22	00:16:22	00:26:08					
Pntn Stn, priv	18.5.18	14	26	25	24	1	4	14%	28	00:19:18	00:20:01	00:52:52					
Pntn Stn, priv	18.5.18	15	20	24	19	1.3	0	0%	19	00:12:46	00:12:39	00:27:10					
Pntn Stn, priv	18.5.18	16	23	31	26	1.2	3	10%	29	00:17:04	00:17:10	00:35:33					
Pntn Stn, priv	18.5.18	17	15	11	10	1.1	2	17%	12	00:30:46	00:31:17	00:51:53					
Pntn Stn, priv	18.5.18	18	15	15	15	1	0	0%	15	00:17:00	00:17:00	00:31:19					
Pntn Stn, priv	18.5.18	19	13	17	14	1.2	0	0%	14	00:21:02	00:21:02	00:41:15					
Pntn Stn, priv	18.5.18	20	13	11	9	1.2	0	0%	9	00:33:22	00:32:35	00:51:23					
Pntn Stn, priv	18.5.18	21	11	16	13	1.2	1	7%	14	00:25:39	00:25:39	00:37:08					
Pntn Stn, priv	18.5.18	22	14	14	11	1.3	1	8%	12	00:32:40	00:31:45	00:43:11					
Pntn Stn, priv	18.5.18	23	16	27	17	1.6	2	11%	19	00:14:40	00:14:40	00:40:06					
Pntn Stn, priv	19.5.18	0	18	24	15	1.6	1	6%	16	00:20:27	00:21:09	00:44:18					
Pntn Stn, priv	19.5.18	1	5	15	10	1.5	1	9%	11	00:13:49	00:15:09	00:23:40					
Pntn Stn, priv	19.5.18	2															
Pntn Stn, priv	19.5.18	3															
Pntn Stn, priv	19.5.18	4															
Pntn Stn, priv	19.5.18	5															
Pntn Stn, priv	19.5.18	6															
Pntn Stn, priv	18.5.18		294	332	273	1.2	21	7%	294				00:00:04				

Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time In Hour	Maximum passenger wait time
Pntn Stn, priv	19.5.18	7												Number waiting 11 mins or more Number of people waiting 6-10 mins Number of people waiting 1-5 mins
Pntn Stn, priv	19.5.18	8	2	1	1	1	0	0%	1	00:23:53	00:23:53	00:25:20		Number waiting 11 mins or more Number of people waiting 6-10 mins Number of people waiting 1-5 mins
Pntn Stn, priv	19.5.18	9	11	7	6	1.2	3	33%	9	00:21:21	00:22:49	00:35:07		Number of people waiting 1-5 mins Average Passenger Waiting Time, those waiting only
Pntn Stn, priv	19.5.18	10	2	6	5	1.2	0	0%	5	00:46:36	00:46:36	00:48:54		Average Passenger Waiting Time In Hour
Pntn Stn, priv	19.5.18		15	14	12	1.2	3	20%	15				00:00:00	Maximum passenger wait time
				Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time In Hour	Maximum passenger wait time
All	All	300	4449	6589	3955	1.7	494	11%	4449				00:00:16	

Study Report Appendix 5  
Street Interview Results .

Q1. Have you used a taxi in this area in the past 3 months?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Yes - hackney carriage only	3	5%	10	13%	20	54%	0	0%	33	16%
Yes - private hire only	8	13%	8	11%	0	0%	9	25%	25	12%
Yes - both HC and phv	7	11%	4	5%	0	0%	7	19%	18	9%
No	45	71%	53	71%	17	46%	20	56%	135	64%
<b>Total</b>	<b>63</b>	<b>100%</b>	<b>75</b>	<b>100%</b>	<b>37</b>	<b>100%</b>	<b>36</b>	<b>100%</b>	<b>211</b>	<b>100%</b>

Q2: How often do you use a taxi within the TORBAY COUNCIL area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
3 or more times a week	3	5%	2	3%	2	5%	2	6%	9	4%
once or twice a week	6	10%	1	1%	4	11%	2	6%	13	6%
less than 1/week, but more than 2/month	4	6%	1	1%	2	5%	1	3%	8	4%
once or twice a month	3	5%	4	5%	8	22%	6	17%	21	10%
less than 1/month, but more than 2/year	3	5%	2	3%	4	11%	0	0%	9	4%
once or twice a year	7	11%	15	20%	8	22%	3	8%	33	16%
never	37	59%	51	67%	9	24%	22	61%	119	56%
<b>Total</b>	<b>63</b>	<b>100%</b>	<b>76</b>	<b>100%</b>	<b>37</b>	<b>100%</b>	<b>36</b>	<b>100%</b>	<b>212</b>	<b>100%</b>

3 or more times a week
once or twice a week
less than 1/week, but more than 2/month
once or twice a month
less than 1/month, but more than 2/year

Resulting estimate of trips per person per month	1.5	0.7	1.9	1.6	1.3
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Q3a: How do you normally get a taxi within the TORBAY COUNCIL area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
At a Taxi rank	17	43%	15	29%	10	30%	9	21%	51	30%
Hail in the street	0	0%	1	2%	0	0%	7	16%	8	5%
Telephone a company	22	55%	15	29%	20	61%	19	44%	76	45%
Use a Freephone	0	0%	2	4%	0	0%	0	0%	2	1%
use an app	0	0%	0	0%	2	6%	0	0%	2	1%
Other	1	3%	19	37%	1	3%	8	19%	29	17%
<b>Total</b>	<b>40</b>	<b>100%</b>	<b>52</b>	<b>100%</b>	<b>33</b>	<b>100%</b>	<b>43</b>	<b>100%</b>	<b>168</b>	<b>100%</b>

Q3b: If you indicated 'Other' to Q3a, please specify?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
NEVER USE ONE	0	0%	0	0%	0	0%	5	71%	5	63%
VIA OFFICE	0	0%	0	0%	1	100%	0	0%	1	13%
NEVER USED ONE IN TORQUAY	0	0%	0	0%	0	0%	1	14%	1	13%
BOOKED THROUGH WORK	0	0%	0	0%	0	0%	1	14%	1	13%
<b>Total</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>1</b>	<b>100%</b>	<b>7</b>	<b>100%</b>	<b>8</b>	<b>100%</b>

Q4. If you book a taxi by phone, please tell us the three companies you phone most?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
TORBAY TAXIS	20	87%	10	45%	6	23%	11	58%	47	52%
TORBAY CAB CO	0	0%	7	32%	0	0%	6	32%	13	14%
ACE	0	0%	0	0%	5	19%	0	0%	5	6%
PRICE FIRST	2	9%	0	0%	1	4%	1	5%	4	4%
RIVIERA TAXIS	0	0%	3	14%	0	0%	0	0%	3	3%
WHEELCHAIR TAXI CO	0	0%	2	9%	0	0%	0	0%	2	2%
BRIXHAM TAXIS	0	0%	0	0%	2	8%	0	0%	2	2%
SHOUT OUT	1	4%	0	0%	0	0%	0	0%	1	1%
3000	0	0%	0	0%	1	4%	0	0%	1	1%
A1	0	0%	0	0%	1	4%	0	0%	1	1%
A2B	0	0%	0	0%	1	4%	0	0%	1	1%
ALPHA	0	0%	0	0%	1	4%	0	0%	1	1%
APPLE TAXIS	0	0%	0	0%	1	4%	0	0%	1	1%
BADGER CABS	0	0%	0	0%	1	4%	0	0%	1	1%
BRIXHAM CABS	0	0%	0	0%	1	4%	0	0%	1	1%
B'M CARS	0	0%	0	0%	1	4%	0	0%	1	1%
KEVS TAXIS	0	0%	0	0%	1	4%	0	0%	1	1%
Z CARS	0	0%	0	0%	1	4%	0	0%	1	1%
EXETER TAXIS	0	0%	0	0%	1	4%	0	0%	1	1%
SPUDS TAXIS	0	0%	0	0%	1	4%	0	0%	1	1%
PARTYBUS	0	0%	0	0%	0	0%	1	5%	1	1%
<b>Total</b>	<b>23</b>	<b>100%</b>	<b>22</b>	<b>100%</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>90</b>	<b>100%</b>

Q5. How often do you use a hackney carriage within the TORBAY COUNCIL area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
3 OR MORE TIMES A WEEK	2	8%	1	2%	1	3%	0	0%	4	3%
ONCE OR TWICE A WEEK	5	20%	1	2%	3	9%	2	6%	11	8%
LESS THAN 1/WEEK, BUT MORE THAN 2/MONTH	1	4%	2	4%	2	6%	0	0%	5	3%
ONCE OR TWICE A MONTH	0	0%	1	2%	3	9%	6	19%	10	7%
LESS THAN 1/MONTH, BUT MORE THAN 2/YEAR	3	12%	2	4%	5	16%	0	0%	10	7%
ONCE OR TWICE A YEAR	4	16%	9	16%	8	25%	2	6%	23	16%
I CANT REMEMBER WHEN I LAST USED A HACKNEY C/	8	32%	39	71%	9	28%	11	35%	67	47%
CANT REMEMBER SEEING ONE IN TORBAY COUNCIL /	2	8%	0	0%	1	3%	10	32%	13	9%
<b>Total</b>	<b>25</b>	<b>100%</b>	<b>55</b>	<b>100%</b>	<b>32</b>	<b>100%</b>	<b>31</b>	<b>100%</b>	<b>143</b>	<b>100%</b>

3 OR MORE TIMES A WEEK
ONCE OR TWICE A WEEK
LESS THAN 1/WEEK, BUT MORE THAN 2/MONTH
ONCE OR TWICE A MONTH
LESS THAN 1/MONTH, BUT MORE THAN 2/YEAR

Resulting estimate of trips per person per month, all taxis	1.5	0.7	1.9	1.6	1.3
Resulting estimate of trips per person per month, hcv specific	1.0	0.4	1.1	0.4	0.7
Proportion of trips by hackney carriage compared to total	66%	59%	59%	25%	54%

Q6a. Please tell us the ranks you are aware in the TORBAY COUNCIL area, and for each if you use them?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
PAIGNTON STATION	37	70%	0	0%	11	24%	0	0%	48	24%
TORQUAY HARBOURSIDE	7	13%	22	36%	5	11%	6	14%	40	20%
TORQUAY SEAFRONT	0	0%	26	43%	0	0%	0	0%	26	13%
TORQUAY STRAND	0	0%	0	0%	2	4%	0	0%	2	1%
TORQUAY STATION	3	6%	9	15%	2	4%	2	5%	16	8%
UNION STREET TORQUAY	2	4%	0	0%	0	0%	10	24%	12	6%
BRIXHAM BUS STOP	0	0%	0	0%	9	20%	0	0%	9	4%
BRIXHAM BUS STATION	0	0%	0	0%	4	9%	0	0%	4	2%
BANK LANE BRIXHAM	0	0%	0	0%	2	4%	0	0%	2	1%
BRIXHAM	0	0%	0	0%	1	2%	0	0%	1	0%
BRIXHAM HARBOUR	0	0%	0	0%	1	2%	0	0%	1	0%
BREWERY LANE BRIXHAM	0	0%	0	0%	1	2%	0	0%	1	0%
HIGH STREET BRIXHAM	0	0%	0	0%	1	2%	0	0%	1	0%
PAVILIONS TORQUAY	0	0%	0	0%	0	0%	8	19%	8	4%
TORWOOD STREET TORQUAY	0	0%	0	0%	0	0%	5	12%	5	2%
TORRE STATION	0	0%	3	5%	0	0%	0	0%	3	1%
PALACE AVENUE PAIGNTON	2	4%	0	0%	0	0%	0	0%	2	1%
ROUTE 66	0	0%	0	0%	0	0%	2	5%	2	1%
UNION SQUARE TORQUAY	0	0%	0	0%	1	2%	0	0%	1	0%
ABBAY ROAD TORQUAY	1	2%	0	0%	0	0%	0	0%	1	0%
DARTMOUTH ROAD PAIGNTON	1	2%	0	0%	0	0%	0	0%	1	0%
TESCO	0	0%	1	2%	0	0%	0	0%	1	0%
HALDON CENTRE TORQUAY	0	0%	0	0%	1	2%	0	0%	1	0%
PAIGNTON	0	0%	0	0%	1	2%	0	0%	1	0%
PAIGNTON BUS STATION	0	0%	0	0%	1	2%	0	0%	1	0%
TORQUAY TOWN CENTRE	0	0%	0	0%	1	2%	0	0%	1	0%
TORQUAY	0	0%	0	0%	1	2%	0	0%	1	0%
ENGLISH RIVIERA WHEEL	0	0%	0	0%	0	0%	1	2%	1	0%
PAIGNTON HARBOUR MASTER	0	0%	0	0%	0	0%	1	2%	1	0%
TORQUAY BUS STATION	0	0%	0	0%	0	0%	1	2%	1	0%
PARK LANE TORQUAY	0	0%	0	0%	0	0%	1	2%	1	0%

RITZYS	0	0%	0	0%	0	0%	1	2%	1	0%
BABBACOOMBE	0	0%	0	0%	0	0%	1	2%	1	0%
CINNABAR TORQUAY	0	0%	0	0%	0	0%	1	2%	1	0%
ERIC	0	0%	0	0%	0	0%	1	2%	1	0%
TORBAY HOSPITAL	0	0%	0	0%	0	0%	1	2%	1	0%
<b>Total</b>	<b>53</b>	<b>100%</b>	<b>61</b>	<b>100%</b>	<b>45</b>	<b>100%</b>	<b>42</b>	<b>100%</b>	<b>201</b>	<b>100%</b>

Q6b. If you are aware of a rank in the TORBAY COUNCIL area, please tell us if you use it?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Use	22	42%	19	40%	15	100%	22	100%	78	57%
Don't Use	30	58%	28	60%	0	0%	0	0%	58	43%
<b>Total</b>	<b>52</b>	<b>100%</b>	<b>47</b>	<b>100%</b>	<b>15</b>	<b>100%</b>	<b>22</b>	<b>100%</b>	<b>136</b>	<b>100%</b>

Q7a. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the Vehicle Cleanliness?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Average	0	0%	5	26%	0	0%	0	0%	5	6%
Good	0	0%	13	68%	3	11%	3	19%	19	21%
Very Good	26	100%	1	5%	25	89%	13	81%	65	73%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7b. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the State of Vehicle Repair?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Average	0	0%	2	11%	0	0%	0	0%	2	2%
Good	0	0%	16	84%	3	11%	2	13%	21	24%
Very Good	26	100%	1	5%	25	89%	14	88%	66	74%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7c. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the Driver Behaviour?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Average	0	0%	3	16%	1	4%	0	0%	4	4%
Good	0	0%	11	58%	3	11%	1	6%	15	17%
Very Good	26	100%	5	26%	24	86%	15	94%	70	79%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7d. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the Driver Appearance?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	1	5%	0	0%	0	0%	1	1%
Average	0	0%	2	11%	0	0%	0	0%	2	2%
Good	0	0%	12	63%	4	14%	1	6%	17	19%
Very Good	26	100%	4	21%	24	86%	15	94%	69	78%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7e. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the Driver Standard of Hygiene?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Average	0	0%	8	42%	0	0%	0	0%	8	9%
Good	0	0%	7	37%	4	14%	2	13%	13	15%
Very Good	26	100%	4	21%	24	86%	14	88%	68	76%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7f. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the Driver Professionalism?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	0	0%	1	4%	0	0%	1	1%
Average	0	0%	2	11%	0	0%	0	0%	2	2%
Good	0	0%	12	63%	3	11%	4	25%	19	21%
Very Good	26	100%	5	26%	24	86%	12	75%	67	75%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7g. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the Driver Knowledge of the Area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Average	0	0%	1	5%	0	0%	0	0%	1	1%
Good	0	0%	8	42%	4	14%	2	13%	14	16%
Very Good	26	100%	10	53%	24	86%	14	88%	74	83%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7h. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate the Price?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	2	11%	0	0%	0	0%	2	2%
Poor	0	0%	2	11%	0	0%	0	0%	2	2%
Average	2	8%	7	37%	1	4%	0	0%	10	11%
Good	0	0%	7	37%	6	21%	3	19%	16	18%
Very Good	24	92%	1	5%	21	75%	13	81%	59	66%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>19</b>	<b>100%</b>	<b>28</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>89</b>	<b>100%</b>

Q7i. For your most recent trip by taxi in the TORBAY COUNCIL area, how would you rate any other aspects?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Very Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Poor	0	0%	0	0%	0	0%	0	0%	0	0%
Average	0	0%	0	0%	0	0%	0	0%	0	0%
Good	1	33%	0	0%	0	0%	0	0%	1	33%
Very Good	2	67%	0	0%	0	0%	0	0%	2	67%
<b>Total</b>	<b>3</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>3</b>	<b>100%</b>

Q7J. If you indicated 'Other' to Q8a, please specify?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
WAITING TIME	1	100%	0	0%	0	0%	0	0%	1	100%
<b>Total</b>	<b>1</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>1</b>	<b>100%</b>

Q8. For any aspect that you rated poor or very poor, please provide further details?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Not Always Punctual	1	100%	0	0%	0	0%	0	0%	1	33%
Taxis seem more expensive each time i use them	0	0%	1	100%	0	0%	0	0%	1	33%
Speeding	0	0%	0	0%	1	100%	0	0%	1	33%
<b>Total</b>	<b>1</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>3</b>	<b>100%</b>

Q9a. What would encourage you to use taxis or use them more often in the TORBAY COUNCIL area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Better Vehicles	0	0%	0	0%	1	6%	0	0%	1	2%
More Hackney Carriages I could phone for...	1	11%	1	5%	0	0%	0	0%	2	4%
Better Drivers	2	22%	0	0%	3	18%	0	0%	5	9%
More Hackney Carriages I could Hail on the street or get at a Rank	0	0%	0	0%	2	12%	1	11%	3	5%
Other	6	67%	20	95%	11	65%	8	89%	45	80%
<b>Total</b>	<b>9</b>	<b>100%</b>	<b>21</b>	<b>100%</b>	<b>17</b>	<b>100%</b>	<b>9</b>	<b>100%</b>	<b>56</b>	<b>100%</b>

Q9b. If you indicated 'Other' to Q9a, please specify?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
CHEAPER FARES	5	83%	20	100%	4	80%	6	100%	35	95%
LESS TROUBLE	1	17%	0	0%	0	0%	0	0%	1	3%
IF MOBILITY REDUCED	0	0%	0	0%	1	20%	0	0%	1	3%
MISSING THE BUS	0	0%	0	0%	0	0%	0	0%	0	0%
MORE VEHICLES AVAILABLE AT NIGHT	0	0%	0	0%	0	0%	0	0%	0	0%
MORE WAVS AVAILABLE	0	0%	0	0%	0	0%	0	0%	0	0%
STUDENT FARES	0	0%	0	0%	0	0%	0	0%	0	0%
WHEN OUT DRINKING	0	0%	0	0%	0	0%	0	0%	0	0%
<b>Total</b>	<b>6</b>	<b>100%</b>	<b>20</b>	<b>100%</b>	<b>5</b>	<b>100%</b>	<b>6</b>	<b>100%</b>	<b>37</b>	<b>100%</b>

Q10a. Do you consider you, or anyone you know, to have a disability that means you need an adapted vehicle?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
No	59	94%	62	90%	34	92%	29	81%	184	90%
Yes. I need a wheelchair accessible vehicle (WAV)	0	0%	2	3%	2	5%	1	3%	5	2%
Yes. Someone I know need a (WAV)	4	6%	5	7%	0	0%	1	3%	10	5%
Yes. I need an adapted vehicle, but not a (WAV)	0	0%	0	0%	0	0%	3	8%	3	1%
Yes. Someone I know needs an adapted vehicle, but not a (WAV)	0	0%	0	0%	0	0%	2	6%	2	1%
Other	0	0%	0	0%	1	3%	0	0%	1	0%
<b>Total</b>	<b>63</b>	<b>100%</b>	<b>69</b>	<b>100%</b>	<b>37</b>	<b>100%</b>	<b>36</b>	<b>100%</b>	<b>205</b>	<b>100%</b>

Q10b. If you indicated 'Other' to Q10a, please specify?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
No high step	0	0%	0	0%	1	100%	0	0%	1	100%
<b>Total</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>1</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>1</b>	<b>100%</b>

Q11a. Have you ever given up on waiting for a hackney carriage at a rank in the TORBAY COUNCIL area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	4	13%	1	2%	5	14%	1	3%	11	8%
NO	26	87%	44	98%	31	86%	32	97%	133	92%
<b>Total</b>	<b>30</b>	<b>100%</b>	<b>45</b>	<b>100%</b>	<b>36</b>	<b>100%</b>	<b>33</b>	<b>100%</b>	<b>144</b>	<b>100%</b>

Q11b. If you have given up waiting for a taxi in the TORBAY COUNCIL area, please state where?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
HARBOURSIDE	1	25%	1	100%	0	0%	0	0%	2	22%
PAIGNTON STATION	2	50%	0	0%	0	0%	0	0%	2	22%
TORQUAY STATION	1	25%	0	0%	0	0%	0	0%	1	11%
TORQUAY	0	0%	0	0%	1	25%	0	0%	1	11%
EXETER AIRPORT	0	0%	0	0%	1	25%	0	0%	1	11%
BRIXHAM	0	0%	0	0%	1	25%	0	0%	1	11%
PAVILIONS TORQUAY	0	0%	0	0%	1	25%	0	0%	1	11%
<b>Total</b>	<b>4</b>	<b>100%</b>	<b>1</b>	<b>100%</b>	<b>4</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>9</b>	<b>100%</b>

Q12. Do you think there are enough hackney carriages in TORBAY COUNCIL area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
Yes	23	88%	23	96%	23	88%	29	100%	98	93%
No	3	12%	1	4%	3	12%	0	0%	7	7%
<b>Total</b>	<b>26</b>	<b>100%</b>	<b>24</b>	<b>100%</b>	<b>26</b>	<b>100%</b>	<b>29</b>	<b>100%</b>	<b>105</b>	<b>100%</b>

Q13. If you had the choice of using more sustainably powered licensed vehicles, would you use one?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
FULLY ELECTRIC	41	85%	24	63%	7	64%	35	50%	107	64%
HYBRID	7	15%	14	37%	4	36%	35	50%	60	36%
LPG POWERED	0	0%	0	0%	0	0%	0	0%	0	0%
HYDROGEN FUEL CELL POWERED	0	0%	0	0%	0	0%	0	0%	0	0%
<b>Total</b>	<b>48</b>	<b>100%</b>	<b>38</b>	<b>100%</b>	<b>11</b>	<b>100%</b>	<b>70</b>	<b>100%</b>	<b>167</b>	<b>100%</b>

Q14. Do you feel safe using licensed vehicles during the day (pre 6pm)?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	28	97%	24	92%	35	100%	9	100%	96	97%
NO	1	3%	1	4%	0	0%	0	0%	2	2%
AT TIMES	0	0%	1	4%	0	0%	0	0%	1	1%
<b>Total</b>	<b>29</b>	<b>100%</b>	<b>26</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>9</b>	<b>100%</b>	<b>99</b>	<b>100%</b>

Q15. Do you feel safe using licensed vehicles during evenings and nights (post 6pm)?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	26	93%	22	85%	25	78%	9	56%	82	80%
NO	1	4%	3	12%	4	13%	0	0%	8	8%
AT TIMES	1	4%	1	4%	3	9%	7	44%	12	12%
<b>Total</b>	<b>28</b>	<b>100%</b>	<b>26</b>	<b>100%</b>	<b>32</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	<b>102</b>	<b>100%</b>

Q16. Have you ever had reason to complain about a journey in a licensed vehicle?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	0	0%	4	13%	2	6%	2	9%	8	7%
NO	32	100%	27	87%	33	94%	20	91%	112	93%
<b>Total</b>	<b>32</b>	<b>100%</b>	<b>31</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>22</b>	<b>100%</b>	<b>120</b>	<b>100%</b>

Q17. If you had an issue with a journey in a licensed vehicle, who would you complain to?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
THE DRIVER	4	11%	18	30%	6	20%	21	40%	49	27%
THE COMPANY THE VEHICLE WORKED FOR	27	75%	28	46%	20	67%	29	56%	104	58%
THE COUNCIL	1	3%	2	3%	3	10%	0	0%	6	3%
WOULD NOT KNOW WHO TO COMPLAIN TO	4	11%	13	21%	1	3%	2	4%	20	11%
<b>Total</b>	<b>36</b>	<b>100%</b>	<b>61</b>	<b>100%</b>	<b>30</b>	<b>100%</b>	<b>52</b>	<b>100%</b>	<b>179</b>	<b>100%</b>

Q18a. Late on Friday and Saturday nights, taxi marshals operate at the harbourside rank in Torquay. Have you used the rank or been at that area when marshals were operating?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	3	5%	18	27%	4	11%	7	21%	32	16%
NO	60	95%	48	73%	33	89%	27	79%	168	84%
<b>Total</b>	<b>63</b>	<b>100%</b>	<b>66</b>	<b>100%</b>	<b>37</b>	<b>100%</b>	<b>34</b>	<b>100%</b>	<b>200</b>	<b>100%</b>

Q18b. Late on Friday and Saturday nights, taxi marshals operate at the harbourside rank in Torquay. If yes, do you think they managed the queue well?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	4	100%	16	89%	4	100%	6	86%	30	91%
NO	0	0%	2	11%	0	0%	1	14%	3	9%
<b>Total</b>	<b>4</b>	<b>100%</b>	<b>18</b>	<b>100%</b>	<b>4</b>	<b>100%</b>	<b>7</b>	<b>100%</b>	<b>33</b>	<b>100%</b>

Q18c. Late on Friday and Saturday nights, taxi marshals operate at the harbourside rank in Torquay. Did their presence make you feel safe?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	4	100%	13	76%	4	100%	5	71%	26	81%
NO	0	0%	4	24%	0	0%	2	29%	6	19%
<b>Total</b>	<b>4</b>	<b>100%</b>	<b>17</b>	<b>100%</b>	<b>4</b>	<b>100%</b>	<b>7</b>	<b>100%</b>	<b>32</b>	<b>100%</b>

Q19a. Do you live in the area?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
YES	41	65%	39	52%	22	59%	17	49%	119	57%
NO	22	35%	36	48%	15	41%	18	51%	91	43%
<b>Total</b>	<b>63</b>	<b>100%</b>	<b>75</b>	<b>100%</b>	<b>37</b>	<b>100%</b>	<b>35</b>	<b>100%</b>	<b>210</b>	<b>100%</b>

Q19b. If you indicated that you do not live in the area, please provide your postcode?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total	
BH21	0	0%	0	0%	0	0%	2	11%	2	2%
DN3	0	0%	2	6%	0	0%	0	0%	2	2%
PL9	2	9%	0	0%	0	0%	0	0%	2	2%
SA32	0	0%	2	6%	0	0%	0	0%	2	2%
BA16	1	5%	0	0%	0	0%	0	0%	1	1%
BN17	1	5%	0	0%	0	0%	0	0%	1	1%
BN7	1	5%	0	0%	0	0%	0	0%	1	1%
BR8	1	5%	0	0%	0	0%	0	0%	1	1%
BS16	1	5%	0	0%	0	0%	0	0%	1	1%
BS34	1	5%	0	0%	0	0%	0	0%	1	1%
CR2	1	5%	0	0%	0	0%	0	0%	1	1%
CV12	1	5%	0	0%	0	0%	0	0%	1	1%
CW8	1	5%	0	0%	0	0%	0	0%	1	1%
DY4	1	5%	0	0%	0	0%	0	0%	1	1%
HR2	1	5%	0	0%	0	0%	0	0%	1	1%
NN10	1	5%	0	0%	0	0%	0	0%	1	1%
PL1	1	5%	0	0%	0	0%	0	0%	1	1%
PL7	1	5%	0	0%	0	0%	0	0%	1	1%
SN5	1	5%	0	0%	0	0%	0	0%	1	1%
SN7	1	5%	0	0%	0	0%	0	0%	1	1%
SS7	1	5%	0	0%	0	0%	0	0%	1	1%
ST6	1	5%	0	0%	0	0%	0	0%	1	1%
UB4	1	5%	0	0%	0	0%	0	0%	1	1%
WV11	1	5%	0	0%	0	0%	0	0%	1	1%
BA2	0	0%	1	3%	0	0%	0	0%	1	1%
BA22	0	0%	1	3%	0	0%	0	0%	1	1%
BARNSLEY	0	0%	1	3%	0	0%	0	0%	1	1%
BS15	0	0%	1	3%	0	0%	0	0%	1	1%
CB23	0	0%	1	3%	0	0%	0	0%	1	1%
CV3	0	0%	1	3%	0	0%	0	0%	1	1%
CV5	0	0%	1	3%	0	0%	0	0%	1	1%

DE55	0	0%	1	3%	0	0%	0	0%	1	1%
DE56	0	0%	1	3%	0	0%	0	0%	1	1%
GU10	0	0%	1	3%	0	0%	0	0%	1	1%
GU2	0	0%	1	3%	0	0%	0	0%	1	1%
HULL	0	0%	1	3%	0	0%	0	0%	1	1%
IV3	0	0%	1	3%	0	0%	0	0%	1	1%
LA3	0	0%	1	3%	0	0%	0	0%	1	1%
LE4	0	0%	1	3%	0	0%	0	0%	1	1%
LU2	0	0%	1	3%	0	0%	0	0%	1	1%
NG15	0	0%	1	3%	0	0%	0	0%	1	1%
NG16	0	0%	1	3%	0	0%	0	0%	1	1%
NG4	0	0%	1	3%	0	0%	0	0%	1	1%
OX5	0	0%	1	3%	0	0%	0	0%	1	1%
PE11	0	0%	1	3%	0	0%	0	0%	1	1%
PE8	0	0%	1	3%	0	0%	0	0%	1	1%
PO4	0	0%	1	3%	0	0%	0	0%	1	1%
RH2	0	0%	1	3%	0	0%	0	0%	1	1%
S5	0	0%	1	3%	0	0%	0	0%	1	1%
SG1	0	0%	1	3%	0	0%	0	0%	1	1%
TA19	0	0%	1	3%	0	0%	0	0%	1	1%
TA2	0	0%	1	3%	0	0%	0	0%	1	1%
UB9	0	0%	1	3%	0	0%	0	0%	1	1%
WF4	0	0%	1	3%	0	0%	0	0%	1	1%
YO17	0	0%	1	3%	0	0%	0	0%	1	1%
CF36	0	0%	0	0%	1	7%	0	0%	1	1%
DY2	0	0%	0	0%	1	7%	0	0%	1	1%
EX2	0	0%	0	0%	1	7%	0	0%	1	1%
EX32	0	0%	0	0%	1	7%	0	0%	1	1%
LA12	0	0%	0	0%	1	7%	0	0%	1	1%
LE17	0	0%	0	0%	1	7%	0	0%	1	1%
LS25	0	0%	0	0%	1	7%	0	0%	1	1%
NE1	0	0%	0	0%	1	7%	0	0%	1	1%
S71	0	0%	0	0%	1	7%	0	0%	1	1%

SE24	0	0%	0	0%	1	7%	0	0%	1	1%
ST15	0	0%	0	0%	1	7%	0	0%	1	1%
TA6	0	0%	0	0%	1	7%	0	0%	1	1%
TEIGNMOUTH	0	0%	0	0%	1	7%	0	0%	1	1%
TR14	0	0%	0	0%	1	7%	0	0%	1	1%
WV9	0	0%	0	0%	1	7%	0	0%	1	1%
B1	0	0%	0	0%	0	0%	1	6%	1	1%
CARDIFF	0	0%	0	0%	0	0%	1	6%	1	1%
CF23	0	0%	0	0%	0	0%	1	6%	1	1%
GERMANY	0	0%	0	0%	0	0%	1	6%	1	1%
JERSEY	0	0%	0	0%	0	0%	1	6%	1	1%
L20	0	0%	0	0%	0	0%	1	6%	1	1%
LL41	0	0%	0	0%	0	0%	1	6%	1	1%
M60	0	0%	0	0%	0	0%	1	6%	1	1%
NG11	0	0%	0	0%	0	0%	1	6%	1	1%
NG13	0	0%	0	0%	0	0%	1	6%	1	1%
PE21	0	0%	0	0%	0	0%	1	6%	1	1%
SG12	0	0%	0	0%	0	0%	1	6%	1	1%
SPAIN	0	0%	0	0%	0	0%	1	6%	1	1%
SW19	0	0%	0	0%	0	0%	1	6%	1	1%
TQ12	0	0%	0	0%	0	0%	1	6%	1	1%
TQ9	0	0%	0	0%	0	0%	1	6%	1	1%
Total	22	100%	35	100%	15	100%	18	100%	90	100%

Q20. Gender?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total		Census	
MALE	17	28%	39	52%	18	49%	17	47%	91	44%	48%	LESS
FEMALE	43	72%	36	48%	19	51%	19	53%	117	56%	52%	MORE
Total	60	100%	75	100%	37	100%	36	100%	208	100%		

Q21. Which age bracket do you fall into?	PAIGNTON		TORQUAY		BRIXHAM		HARBOURSIDE		Total		Census	
Under 30	8	13%	23	31%	10	27%	6	17%	47	22%	18%	MORE
31 - 55	20	33%	31	41%	16	43%	21	58%	88	42%	34%	MORE
Over 55	33	54%	21	28%	11	30%	9	25%	74	35%	48%	LESS
Total	61	100%	75	100%	37	100%	36	100%	209	100%		

