LVSA

Torbay Council
Unmet taxi demand survey

February 2021

Executive Summary

This report title 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.

This study, undertaken at a fortuitous point during the midst of the Coronavirus pandemic, found that despite the strictures of the ongoing situation, Torbay retains a vital and viable hackney carriage demand and associated trade (including private hire) surrounding this. The corporate trade has worked well together to ensure the best possible meeting of public need at all times. However, the over-riding need to prioritise individual and family health and safety has impacted on the supply side of the industry, exposing some weaknesses in the overall legislative framework around the whole industry.

The current key role of the licensing regulator at present is providing confidence and stability. At present, the further lockdown, occurring beyond any data gathering for this study, may have again changed individual future plans although acting on the matters identified in this Report will in any event put the trade in an even stronger position moving forward.

Our key conclusion was that there was evidence at the time of the survey that unmet demand – mainly patent as latent demand had reduced – had been observed and found to be significant. This immediately negates any thought about reducing plate numbers at this time. It also makes clear that any trend towards holding plates without active vehicles must be resisted and suggests that transferring the seasonal plates to full year would be prudent at this time.

The study found that the principal driver of the significance of the unmet demand was not any shortage of vehicle plates, but shortage of drivers mainly to rent them, and in some cases of vehicles attached to those plates. There had also been a trend of hackney carriages moving to contract demand and to meeting telephone demand. These two sources of income are very important but it must always be remembered that the issue of a hackney carriage plate to any owner is principally for servicing ranks and hailing demand and that such usage should always be given priority particularly in the situation of a retained hackney carriage plate limit.

Public satisfaction, and particularly the reduced latent demand, suggests people are aware of some of the issues and happy if they do have to wait a bit more, knowing a vehicle will eventually arrive at a rank.

A key future driver is that there is a strong likelihood of increased tourism to the area in 2021 and 2022 when restrictions eventually begin to be released. The regulator needs to be sure that those coming to the area, and those in the area already, will get a great service when this occurs. This encourages action on the recommendations in this report to occur earlier than later.

Further details are provided in the main report, but in essence key recommendations are that the two unused plates should urgently be released. Any further full time or seasonal plates not taken up should also be prioritised for release. However, this does provide the opportunity to gently encourage and test the market for more climate sensitive vehicles to be added to the hackney carriage fleet. To maintain confidence and stability the limit on overall vehicle numbers must be retained and plans to review this with rank surveys in May 2023 should be put in place. Consideration of developing an ongoing feedback from all industry players to the council that would allow modelling of expected change on the supply side is also important.

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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.

The Best Practice Guidance

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".

Background

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 most recent reviews were by the Office of Fair Trading in 2003, through the production of the BPG in 2010, the Law Commission review which published its results in 2014, the Parliamentary Task and Finish Group which reported in September 2018, the Government Response in February 2019 and the consultation on "Protecting Users" which closed on 22 April 2019 that then resulted in issue of the "Statutory Taxi and Private Hire Vehicle Standards" (STPHVS) on 23rd July 2020. None of these resulted in any material change to the legislation involved in licensing. Other groups have provided their comments (including the Urban Transport Group and the Competition and Markets Authority) 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. It is assumed the Government response to the Task and Finish Group is now effectively the current reaction to this extensive research. There was no mention of this topic in the STPHVS although that document did discuss wider review of the overall BPG document in the next consultation (see below).

Current Government Policy review status

It is also understood that the revisions resulting from the recently closed Government Consultation will eventually lead to a more comprehensive review of the sections of the BPG not affected by the February 2019 Statutory Guide, as stated in para 1.8 of that document – "A consultation on revised BPG, which focusses on recommendations to licensing authorities to assist them in setting appropriate standards (other than those relating to passenger safety) to enable the provision of services the public demand, will be taken forward once the final Statutory Guidance has been issued." STPHVS suggests this wider BPG review will involve a consultation 'later this year (2020) confirming the aim of making "clear recommendations on the measures licensing authorities should consider to enable the trade to react to the demands of passengers". This means the April 2010 BPG therefore remains valid for our review.

The present background to policy

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. For some, this is complicated by local education authority rules on vehicles used on their contracts.

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.

Unmet demand and its significance

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. The reaction of many authorities to that request was to remove limits. In due course, DfT produced 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 latest STPHVS requires an update given to the DfT by the end of January 2021 in terms of consideration of the measures included in that document, principally production of a comprehensive policy document, review of if CCTV might be mandated and documentation of passenger complaints.

Case law and unmet demand

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).

2019 saw three challenges with respect to surveys of unmet demand. All three found in favour of the current methodology being undertaken. A key focus was the need for a robust and up to date independent survey report being available.

In one case it was made clear the current guidance is based on the 2010 BPG, which supercedes previous notes and DfT advice, whilst in another case having a valid survey meant those challenging had no case for their proposed challenge, and in the final case an authority was clearly told they could not rely on a very old survey which itself could not be produced. In the end a fresh survey was undertaken, finding no unmet demand.

Most recent changes relating to demand

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 (except in the case of the latter where STPHVS suggests the next consultation should occur during the remainder of 2020).

The current status regarding unmet demand studies

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.

During September 2018 the All-Party Parliamentary Group on taxis produced its long-awaited Final Report. There was a generally accepted call for revision to taxi licensing legislation and practice, including encouragement for local authorities to move towards some of the practical suggestions made within the Report. The Government has broadly supported the recommendations of this Task and Finish Group.

Despite some opposition from members of the group, the right to retain limits on hackney carriage vehicle numbers was supported, with many also supporting adding a tool which would allow private hire numbers to be limited where appropriate, given reasonable explanation of the expected public interest gains. This latter option is now being taken forward in Scotland, with two studies published and the Scottish Government preparing guidance, although the Government response did not support this option.

As already stated, other groups have provided comments giving their views about licensing matters but the upshot remains no change in legislation from that already stated above. The Scottish Government are moving forward in terms of their application of the potential limiting of private hire vehicle numbers but this is specific to Scottish law and not presently relevant to the English licensing authorities.

Conclusions

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.

Coronavirus

The serious Covid-19 virus took hold in the UK during March 2020. Whilst life carried on almost as normal until mid-March, formal lockdown was applied from Tuesday 24th March 2020 until further notice. Significant reductions in movement had begun to bite from the previous week. The last dates in 2020 when on-street and rank surveys occurred were effectively Sunday 16th March 2020.

The lockdown began to be eased on 13th May with people encouraged to return to work if they were not able to work from home. Restrictions on outdoor exercise, golf courses, tennis courses and socialising at distance, with restart of construction also allowed. From 15th June, bars, restaurants and hairdressers were allowed to return to a 'new normal'. The next wave of easement occurred on 4th July. However, a range of different re-restrictions were applied in various locations as cases began to rise again. Schools were re-opened in September, but a new 'rule of six' was introduced shortly after reducing the ability of people to socialise as rates of infection rose again, together with a 22:00 close time for all hospitality venues from . In general, new restrictions tended to be introduced with a few days lead in but this ended with a new lockdown from Thursday 5th November ending on Wednesday 2nd December. During the completion of this report, new Tiers were introduced and then again another national lockdown from early January 2021 but with the start of vaccinations providing some hope of an eventual overcoming of the impacts of the virus.

For the record (repeated below), the 'main' rank observations (and associated on-street interviews) were undertaken from Thursday 10th September 2020 to the early hours of Sunday 13th September 2020 (before the curfew) whilst the 'off season' observations on the Saturday were on 24th October when the curfew was in place.

2 Local background and context

Key dates for this report title for Torbay Council are:

- appointed Licensed Vehicle Surveys and Assessment (LVSA) on 12 August 2020
- in accordance with our proposal of July 2020
- as confirmed during the inception meeting for the survey held on 3 September 2020
- this survey was carried out between September and October 2020
- On street pedestrian survey work occurred in mid-September 2020 (on a Monday, Tuesday, Thursday, Friday and Saturday)
- the main video rank observations occurred in mid-September 2020
- Licensed vehicle driver opinions and operating practices were canvassed using an electronically available and posted out survey during late September and mid-October 2020
- Key stakeholders were consulted throughout the period of the survey
- Trade representatives and all those having seasonal hackney carriage vehicle licences were directly contacted
- A supplementary rank review was undertaken on Saturday 24th October at the three busiest ranks to identify off-season demand
- A draft of this Final Report was reviewed by the client in November 2020
- and reported to the appropriate Council committee following acceptance by the client.

Torbay Council is a unitary authority in the South West of England. The authority has a current population of 137,064 using the 2020 estimates currently available from the 2011 census, 2016 revision. This is just over 1% higher than at the time of the last survey. Of the current total who are 15 or over, 48% were male and 52% female, 17% were 15-30, 33% were 31-55 and half were over 55.

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.

The Devon and Torbay Local Transport Plan 2011-2026 (LTP) is the adopted Council transport policy document that guides all transport development. Developed over an 18-month period, it was shaped by a balance between national aims and local priorities. The latest implementation plan covers April 2016 to March 2021.

The LTP is based on and Evidence Report, a Consultation Report and supported by three review documents, the Strategic Environmental Assessment, Health Impact Assessment and Equality Impact Needs Assessment. It will be implemented with close working with the Heart of the South West Local Enterprise Partnership.

The LTP vision is to offer businesses, communities and individuals safe and sustainable travel choices. It seeks to deliver a low carbon future, successful economy and prosperous, healthy population living in an attractive environment. One of five key elements is 'making best use of the transport network'. A key need is developing high quality connections and safe sustainable transport. The overarching strategy of the LTP focuses on places rather than modes. However, a further important plan item is the South Devon Link Road seeking to remove longer distance traffic from the A380.

The Torbay Strategy seeks a low-carbon sustainable transport system that contributes towards the public realm, distinct character and function of the three towns of Torquay, Brixham and Paignton. The area saw 8.5 million visitor bed nights per year and tourism increasing the population to over 200,000 in the summer months. It also has a high level of older people. The fishing industry and Sutton's Seeds are key industries in the area of national importance. Despite this, the average income per person is about 15% below the national average, with a widening economic gap between the area and the rest of Devon and the UK. Torbay has a track record of delivery, being the "Most Improved Transport Authority of the Year 2006" in the National Transport Awards of that year. However, key developments have included improved bus routes, some of which have reduced demand for licensed vehicle services, particularly on the main Torquay-Brixham axis (as noted in the previous report).

The main LTP, as is typical for many areas, makes no direct reference to licensed vehicles.

The Evidence Report has a section on licensed vehicles (Chapter 8.8). This quoted information from 2007 and compared Torbay to Blackpool, Bournemouth and Poole. It notes "With regards the Mayor's Vision and transport goals for 2026, taxis could have an increased role as part of an integrated sustainable travel package across Torbay. Longer ranks for at least six vehicles at key locations such as Torquay, Paignton and Brixham harboursides, railway stations, town centres and key tourist areas will be required." It also notes that key congestion issues mainly arise in the Summer months arising from tourist flows, and from issues with school travel.

The consultation report for the LTP reports levels of satisfaction with local licensed vehicles as 70% compared to 57% for community transport, 52% for satisfaction with local public transport information and 61% for overall satisfaction with local bus services, putting licensed vehicles in Torbay in a very good light at that time (about 2010). (Consultation Report para 3.4.10).

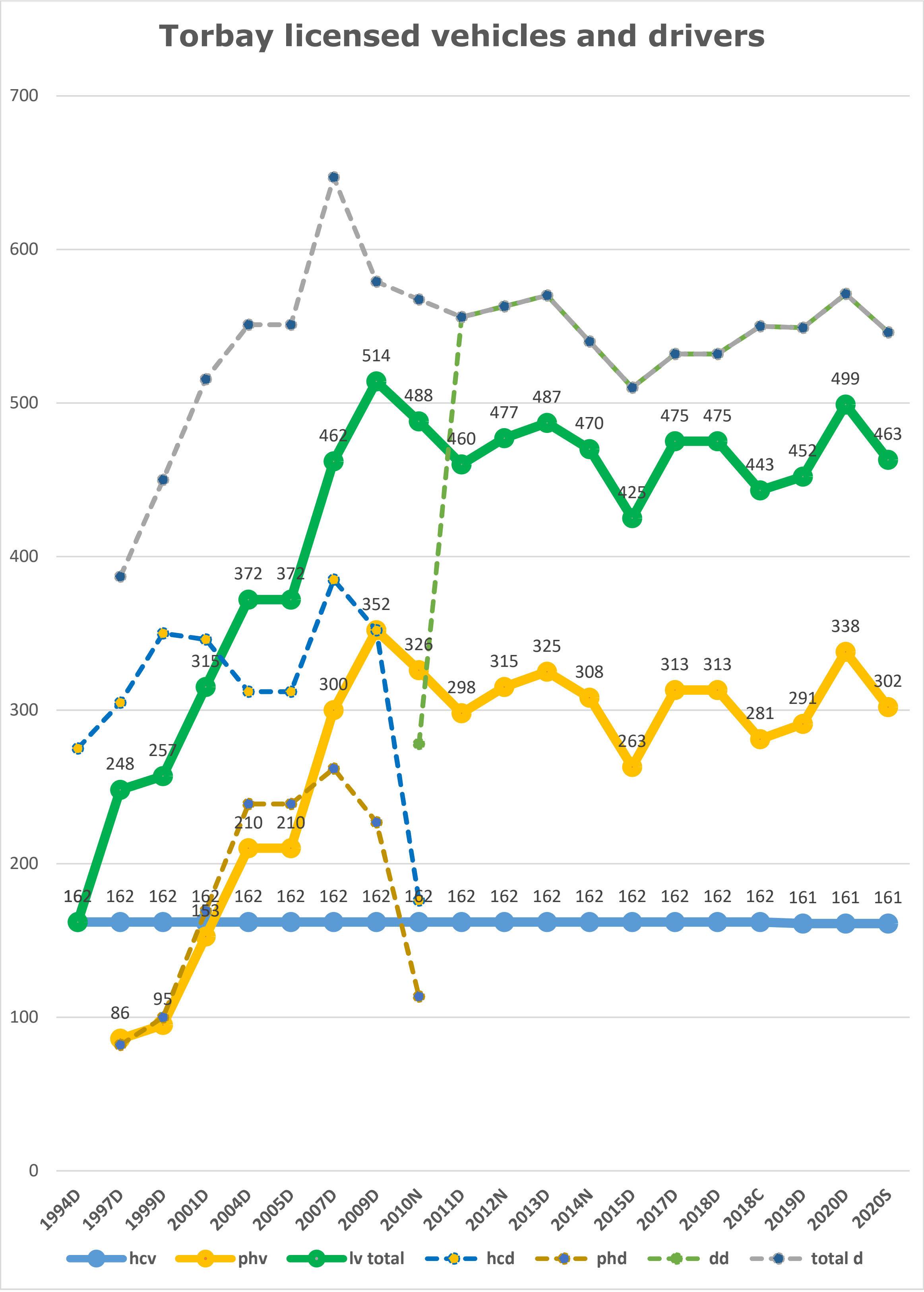
The main reference to licensed vehicles within the Torbay Council web pages is the statement at the beginning of the licensing pages "Hackney carriages and private hire vehicles are an important mode of local transport, and as such, have a specific role to play in an integrated transport system. They 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 (Taxi) 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 that drivers and operators are not overly burdened by unnecessary conditions.

Taxi Policy

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 quotations from the DfT statistics.

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 (excludes seasonal plates)

The graph shows that hackney carriage vehicle numbers have remained stable in the area for a very long period. However, the recent three hackney carriage vehicle numbers reflect that one hackney carriage vehicle has persistently failed to renew their licence. The stated reason is that they have no-one available to rent this vehicle. Further, of the seven additional seasonal plates that run from April to September (inclusive), one has also failed to renew this time, again this being due to the owner renewing their own licence but not renewing the second one they held, again due to a lack of drivers wishing to rent. The Council also advised us that there were a small number of plates to which they identified no vehicle was actually retained at the time of the survey.

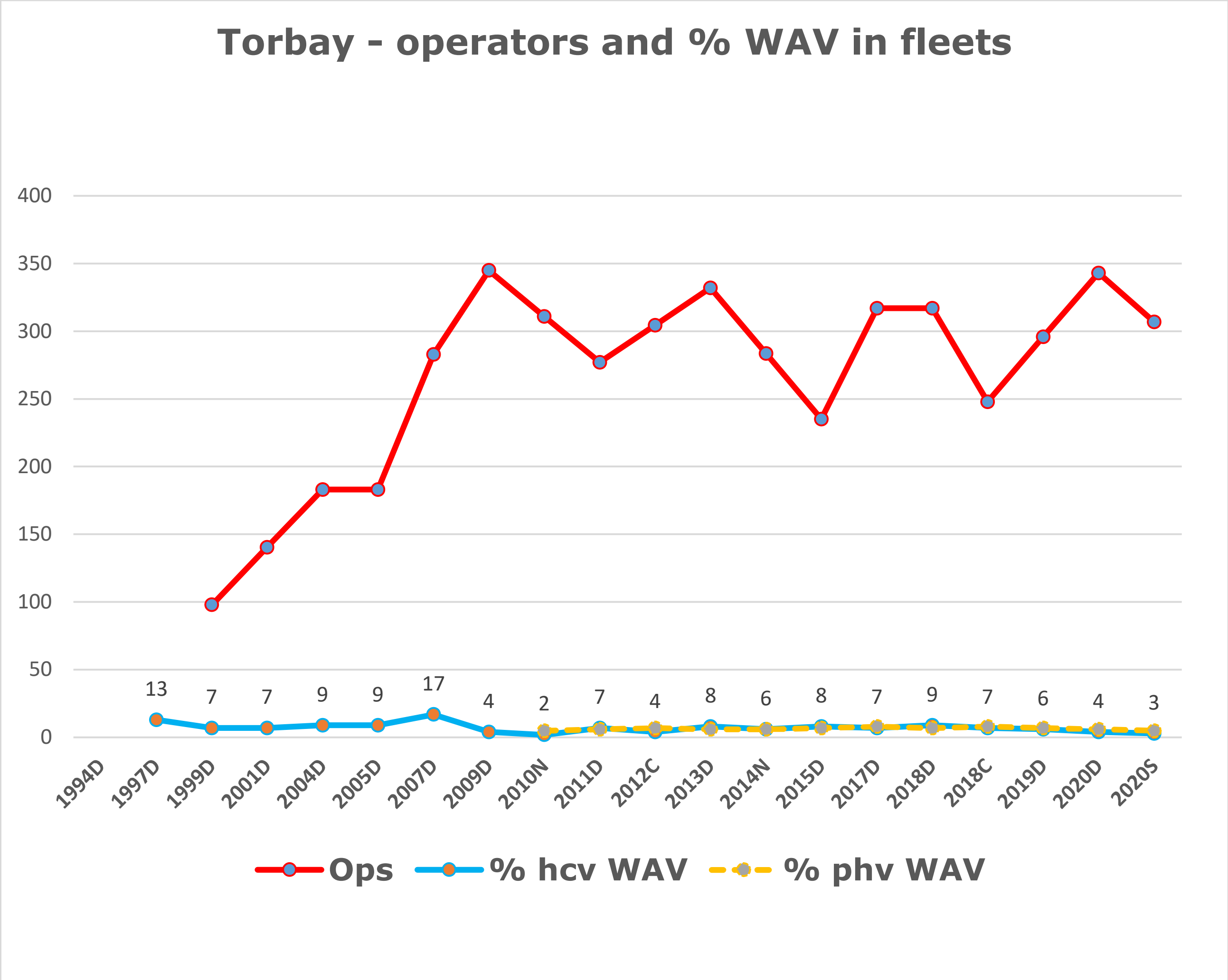
At the same time, the number of private hire vehicle licences has increased over the last three observations available apart from the most recent number (see below), although the number still has not returned to the peak level reached in 2009 which was over four times the level of vehicles on issue when statistics began in 1997. Since that point there had been two drops and increases and a further drop until the latest steady increase, leaving private hire now some 3.5 times more than in 1997. These vehicles have been the dominant force in the area now since 2001.

In terms of driver numbers, which are all now 'dual' licences with all drivers able to drive either hackney carriage or private hire according to their wish at the time of driving each day, the trend remains a steady reduction since the peak of 2007, albeit with some increase from 2015 to 2018. Total driver numbers are now about 41% higher than in 1997 although 16% less than the peak level. The gap between the total number of drivers and vehicles appears to be closing, suggesting a reduction in the number of people who would be wishing to rent a vehicle (consistent with the suggestion from the hackney carriage plate reductions that the level of those wanting to rent is reducing).

Since the first completion of the report, the DfT statistics for March 2020 became available. Adding these to the graph shows that private hire vehicles and private hire drivers rose in the year between 2019 and 2020 to some degree. Between the end of March and the time of the rank survey, both private hire and driver numbers had fallen. Private hire vehicles were about 11% reduced whilst driver numbers were down 4%. This partly demonstrates the impact of the pandemic on the part of the trade that is more able to react to market forces.

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.

The information for levels of wheel chair accessible vehicles and number of operators is shown in the graph below:



Operator numbers and levels of WAV provision in the fleet

Like private hire vehicle numbers, the number of operators grew quickly from 1997 to its peak in 2009. This was about 3.5 times the initial level, similar to the overall level of vehicles. The general trend since then has been downward, although numbers have again varied similar to the private hire vehicle levels, again with the last two observations demonstrating growth, but still only to 89% of the peak. The number at the time of the survey was about 10% down on that just as the pandemic started mirroring the change in private hire vehicles.

The number of operators in Torbay is high given the following statement of policy (Policy document Chapter 16):

"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…" They may also work for a company that has its own operating licence but if they intend to take any direct booking they must have their own licence. This effectively means every private hire vehicle has its own licence.

This means that a very high number of the operators are in fact one-man operations who can then choose to work for larger operators as suits them, providing a much more fluid private hire operating background than in many other areas. The statistics are artificially inflated by the process of allocating operators that can lead to those owning several vehicles having more than one operators' licence which is later revised to ensure no owner has more than one operator licence. In the figures used below, the number of operators on this basis is 13% higher than the real number.

In terms of wheel chair accessible vehicles, since the peak of 17% of the hackney carriage fleet as at 2007, numbers have reduced, although numbers have grown in the private hire fleet, starting from 2010. In the most recent figures, there are 5% of the private hire fleet wheel chair accessible but only 3% of the hackney carriage fleet. The bulk of the private hire WAV style vehicles mainly work for one company with a specific focus on providing this demand.

An analysis was undertaken using the consistent DfT 2019 set of licensed vehicle statistics to understand the total provision of WAV vehicles in the total licensed vehicle fleet. At that time Torbay had ten WAV in the hackney carriage fleet and 20 in the private hire element of the trade. This provides 7% of the total licensed fleet of WAV format. This places Torbay 191st out of the 292 licensing authorities in England (about a third from being the lowest authority).

Interestingly, this level is very similar to that in several other authorities that have limited numbers of hackney carriages (including Weymouth and Portland, Dover, Crawley, Aylesbury Vale, Chorley, Lancaster, Pendle and Leeds. Eastbourne, North Devon and Folkestone and Hythe have similar levels but have no limits on hackney carriage vehicle numbers). There has never been any requirement for new vehicles to be WAV in Torbay unlike in some other places who have tried to increase numbers by such 'quality' regulation. The average English level of WAV in the total licensed vehicle fleet is 14%.

However, previous research in the last survey found that Torbay had made effort to increase the WAV level of hackney carriages, with the main positive gain from increasing the age limit on such vehicles from eight to ten years (achieved by October 2013, seeing the proportion rise from 4 to 8%). In 2017 other ideas were formally discounted, and a discussion of setting a target of 20% not taken forward.

Extensive and targeted research in that period did not obtain any evidence of issues of shortages of such vehicles. The 2018 survey did not identify any concerns about the low level of provision, and on the contrary found a good level of usage of hackney carriages at ranks by those in wheel chairs in the rank observations. A much higher level of people was identified with non-wheel chair requiring disabilities who were provided with very good assistance into vehicles by drivers.

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.

This confirms that, although the level of WAV provision appears to be low in number, in reality the focus of those vehicles that are available on the actual needs means that the majority of requirements were well-met suggesting no need for any further action on this matter. We believe this conclusion remains correct for this latest review.

We would therefore confirm that the 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, and that this statement from the previous survey remains correct. The issue of out of weekday hour service, and the issue that there are several vehicles that appear to be WAV but are not actually WAV-capable also remains.

In terms of the pandemic, the decline in WAV vehicle proportions has continued but the change is only a continuation and not an impact directly of the pandemic itself. Both fleets have seen reducing numbers of WAV style vehicles since the time of the last survey.

Industry Structure

A detailed analysis was undertaken to identify the current industry structure behind the 161 hackney carriage vehicles, six seasonal hackney carriages, 307 private hire vehicles, 543 drivers and 234 operators licensed as involved in the industry at the time of the survey (excluding the 30 duplicate operators). This equates to 602 different persons having various licences in the licensed vehicle trade of Torbay. The total of people involved in the industry is higher as the number excludes any administrative staff who do not need any current licence.

There are a wide range of legitimate operating models for how people can be involved in the licensed vehicle industry. The simplest model is where an owner owns and drives their own vehicle. For hackney carriages, this only requires a vehicle and a driver licence. On the private hire side, any similar operation that does not want to work for an operator, also needs a private hire operators' licence. The 'triple lock' rule means that all three licences must be from the same licensing authority to be totally valid.

Traditionally, the market can be split whereby a person becomes a driver but does not own a vehicle, supported by people who own vehicles but do not drive them. In many authorities, such as Torbay, any person with a driver licence for a licensed vehicle can drive either a hackney carriage or a private hire (both vehicle types need to be licensed by Torbay).

More complex models arise based on these groupings, e.g. a person might own and drive their own vehicle but also own several other vehicles they rent out. This can often, but not always, be a family grouping (where rents might not apply).

Although there is extensive legislation and guidance regarding both hackney carriage and private hire vehicles, drivers and operators, there are a good number of practices that are not regulated, some of which impact on unmet demand and service to the public. Key ones include no specific requirement that a plate retains a vehicle attached for the length of the license issued, no way to ensure that drivers cover all needed operating hours, nor any stipulation that reserves hackney carriages to service at ranks or by hailing. In fact, one often stated benefit of hackney carriage operation is that a vehicle and its driver can operate from ranks, be hailed or take bookings, the first two items within the area both are licensed only, but the latter effectively anywhere in England (which resulted in one of the two 'cross-border' conundrums.

Torbay has also historically had a small sub-set of hackney carriage plates only issued for the first six months of the licensing year. This was ostensibly to allow for the higher levels of demand expected in the main tourist season without expecting the driver to pay for a licence for the full year. A more detailed review of these plates and how they fit and operate is provided below. We are not aware of any other English licensing authority that has this arrangement at present.

To confirm, at the time of the rank survey work, when the database was summarised, there were 161 hackney carriage vehicles licensed, six seasonal hackney carriage vehicles, 307 private hire vehicles, 543 drivers and 234 distinct operators (excluding the multiples in the operator count).

The largest groups are the individuals who also own a single vehicle (and for the private hire element are also operators). There are 61 single hackney carriage owner drivers and 201 single private hire owner driver operators. There is nothing to prevent these vehicles having either supplementary drivers or being rented if the owner does not wish to drive them. The initial figures imply that 100 hackney carriage vehicles (62%) and 106 private hire vehicles (35%) must be directly available to the public only if rented.

There are 240 individuals who are only drivers and must therefore rent a vehicle to be active in the trade (some 45% of all drivers). This is marginally higher than the number of vehicles directly available suggesting some owner drivers may also rent, or that some drivers hold a licence but may not use it.

As already stated, whilst some authorities ask for record to be provided of company allegiances, this is not a legal requirement and is generally left to the market and individuals to determine. In Torbay, one relatively unique arrangement is that any private hire vehicle owner is encouraged to have their own private hire operator licence to ensure any operation of the vehicle would be on a legal footing. Again, we are not aware of any other authorities that do this.

A variety of complex arrangements are in place – some owner drivers also have extra vehicles on both hackney carriage and private hire sides. A small number of vehicles are owned by people with both hackney carriages and private hire vehicles. All the seasonal vehicle plates are within arrangements including at least one other vehicle.

On the hackney carriage side, the largest owner has four vehicles, with most multiple owners having two or three. On the private hire side, the largest owner has 19 vehicles, another has 10, two have eight (both also have a seasonal hackney carriage) and another has six. Other multiple owners on the private hire side have four, three or two vehicles.

This suggests there is plenty of scope for people to find a way to be part of the licensed vehicle trade of Torbay in a way that suits their preferences. It does, however, imply that a good proportion of the fleet is dependent on relationships between people to operate, rather than just being the involvement of a single party. This has implications discussed later.

Overview of Local Industry

A review was undertaking using standard industry software to identify the key players available on an internet front to anyone seeking "taxis in Torquay". The search provided three results as follows:

- Torbay Taxis Ltd – 180 cars including 8-seat minibus options, male and female drivers, an app, a phone number and an enquiry email address
- Torbay Cab Co Ltd – largest hackney carriage company with 50 vehicles and an enquiry email address
- Price First Taxis Ltd – over 50 vehicles, a phone number and details of the management team

Limit policy and its review

Torbay undertakes regular review of its policy to limit hackney carriage vehicle numbers in line with the BPG. The previous surveys were in 2018 (May, 300 hours), 2014 (October, 252 hours), 2011 (May, 259 hours), 2008 (November 2007, 519 hours) and 2005 (October 2004). The dates in brackets are the dates the rank survey work was undertaken. Further discussion of the rank usage results is provided in Chapter 3 whilst discussion of the unmet demand standard industry index of significance of unmet demand (ISUD) tool results are provided in Chapter 7.

3 Patent demand measurement (rank surveys)

As already recorded in Chapter 2, control of provision of on-street ranks in the Torbay Council area is entirely within the gift of the authority itself, albeit being through the separate highways department. Appendix 2 provides a list of ranks 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 survey 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). The detailed specification of the hours included in the sample is provided in Appendix 3. Detailed results by rank, day and hour are in Appendix 4.

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. However, since the last survey, the Covid-19 pandemic has occurred, including a full national lockdown from late March which only saw re-opening of different elements of the economy beginning from the Summer. We are not aware of any related traffic management measures introduced to enhance social distancing that have had any impact on any local taxi rank nor access to them.

We are aware that since the last survey, street marshals have been introduced with part of their time spent being specifically allocated to managing hackney carriage operations. They operate on Fridays and Saturdays as follows:

Torquay Harbourside: 19:00 to midnight, then taxi specific to 04:00

Paignton: 17:30 to 23:00, then taxi specific to 01:00, then assist at Torquay Harbourside until 02:30

Like many other areas, Torbay has several ranks that ceased to see regular use some while ago. Others have very specific uses related to their specific demand generators. Some service a wider range of uses that provide them with more stability within the overall tapestry of change that can occur in any area.

Overview of rank observations

All known active ranks in Torbay, including those at the two private station locations, were observed from mid-day Thursday 10th September 2020 through to the early hours of Sunday 13th September 2020. This period was before the imposition of the coronavirus 22:00 curfew and at the end of the first week of schools returning in the area.

The video record was observed to identify periods when each rank was active, lightly used or not used at all. The results are shown in Appendix 2. The rank at Torwood Street is only operational from 18:00 to 06:00 daily but was checked for activity – only parked cars were observed during those hours. Of the 600 total hours of observation included, 45% were active (three or more hackney carriage movements per hour), 12% saw light usage and 44% saw no hackney carriage or passenger activity at all. All active hours were observed in detail, with further information gleaned from the hours lightly used in order to ensure that all rank activity during the 600 hours were captured.

Further details of actual active hours are discussed in the detailed sections below. Discussion of the Saturday survey in October to cover a period when the seasonal plates were not in use follows in a separate Chapter.

During the course of the 600 hours of observation, a total of 13,213 records were produced including vehicle and passenger arrivals and departures and other relevant comments (such as notes about location openings or other relevant points). 37% of these records were from the Strand, 16% from Paignton station, 12% each from Union Street and Brixham, 10% from Victoria Parade, 6% from the Post Office Roundabout, 5% from Cary Parade, 2% from Torquay station, 1% from Torwood Street and a small number from Castle Circus. These values include all vehicles observed at the rank, or considered to be in locations impacting on the rank.

70% of these records related to vehicle arrivals or departures. 7% were private cars, just under 0.5% emergency vehicles, just under 1% private hire vehicles and just over 1% goods vehicles. The remaining 90.5% were local Torbay hackney carriages. This shows very good compliance with rank regulations in the area. Poor compliance was highest at the two least used locations, Torwood Street and Castle Circus (42% and 45% respectively). Both related to the valuable place these two locations provided in terms of space for private vehicles to set down or pick up passengers. Two active ranks that saw private car incursions were Union Street (22% of observations) and Victoria Parade (14%). The top two and the fourth/sixth busiest rank locations saw some incursion but only at a marginal level. Some of those incursions may be using parts of the area around the rank that are beyond the rank itself, or may occur when the rank has less vehicles active.

Overall rank usage estimates

The rank observations were analysed to identify the estimated weekly usage of each site by passengers. For context, the table includes comparison to all previously available and identified values.

Rank	2020		2018		2014		2011		2008		2005	
	Early Sept		May		October		May		Nov 2007			
	Pass	%	Pass	%	Pass	%	Pass	%	Pass	%	Pass	%
Torquay, The Strand	5953	43	5761	33	3400	23	1766	14	497	4		
Paignton Stn, private	2061	15	2762	16	2165	15	2037	16	1182	11		
Brixham, Bank Lane	1685	12	2619	15	2357	16	2204	18	1864	17	1982	
Torquay, Vic Pde	1269	9	1869	10.7	1721	12	2037	16	765	7		
Torquay, Union St	1168	8	2026	11.6	1924	13	1601	13	3469	31		
Torquay, PO Rbt	781	6	1058	6.1	1106	8	1313	10	1422	13		
Torquay, Cary Pde	587	4	409	2.3	456	3	436	3	319	3		
Torquay Stn, private	245	2	868	5	534	4	648	5	391	3		
Torquay, Torwood St	14	0.0	36	0.2	873	6	69	1	Not there			
Torquay, Castle Circ	6	0.0	12	0.1	197	1	417	3	711	6		
Paignton, Hyde Rd									465	4		
Tqy, Princess Th									80	1		
Tqy, Westlands Sch									20	0		
Pnton, Dartmouth Rd									18	0		
Tqy, Lymn Rd, 2 site									5	0		
Tqy, Lymn Rd, Co Stn									5	0		
Tqy, Chestnut Av									0	0		
P'nton, Palace Av									0	0		
P'nton, Torbay Rd									0	0		
TOTALS	**13769**		**17420**		**14734**		**12527**		**11212**			
Growth frm previous	**-21**		**+18**		**+18**		**+12**		**N/A**			

The key result is that current levels of passengers at ranks is estimated to be 21% lower than the number observed in the previous survey. This compares to the 18% growth in rank observed passengers found between both the 2014 and the 2018 and the 2011 and 2014 results, both of which were effectively 30 months apart, similar to the current gap to 2018. This suggests that the true reduction implied by the COVID impact could be up to 40% less rank-based passengers than might have been expected. Levels remain above those observed in 2008 and 2011, the former when several other ranks now no longer used remained active.

Had this been a typical year, this level of patronage would imply some 716,000 passengers in a year from ranks in the area, although given the negligible passenger levels from late March to June, the actual total for 2020 is likely to be significantly less.

However, the picture was not all absolute decline in patronage. The Strand saw passenger growth of some 3%, taking its share of the overall passenger numbers to 43% from 33% in the previous survey. Cary Parade usage also increased. Most passengers here seemed to make use of seeing vehicles available. Brixham was down 36%. In general, the order of importance of ranks remained the same, with Union Street swopping places with Victoria Parade arising from the former reducing 42% and the latter 32%.

Torquay station passengers dropped to about a third of their previous level, consistent with the reduction in overall national rail patronage (this rank has no other potential source of demand). However, Paignton station was only down 25% which seems to confirm that this rank is not purely dependent on rail passengers. This is further confirmed by a good proportion of passengers here being in hours well after the last train, and the fact there is no other active rank in the town.

Rank usage by location and time

The outline information gathered identified the following by rank:

The Strand – no activity 04:00 to 08:59 Friday, 06:00 to 09:59 Saturday; 06:00 to 06:59 (end of observations), Sunday. Feeder rank used 22:00 to 02:59 Thursday-Friday; 20:00 Friday to 03:59 Saturday and 20:00 Saturday to 03:59 Sunday. Just four further hours saw light usage.

Victoria Parade – Mixture of active or light usage for most hours apart from no usage Saturday 01:00 to 08:59; 18:00 to 20:59 and from 02:00 onwards Sunday

Union Street – No activity 18:00 Thursday to Friday 05:50; 19:00 Friday to 07:59 Saturday and 18:00 onwards Saturday to Sunday – very clearly related only to shopping hours – no lightly used hours at all

Post Office Roundabout – no activity 20:00 Thursday to 07:59 Friday; 19:00 Friday to 08:59 Sat and 19:00 on Saturday through to Sunday – no lightly used hours but mainly related to shopping.

Torquay Station rank (private) – only saw light usage mainly in daylight hours, up t0 18:59 on the Thursday; 09:00 to 17:59 on the Friday and 10:00 to 18:59 on the Saturday, however there were times that passengers arrived with no vehicles there (in some cases vehicles arrived and left even though passengers were waiting)

Cary Parade – effectively a waiting area for the nearby hackney carriage circuit office – but vehicles and passengers regularly there often appearing to take advantage of a vehicle being there

Torwood Street – only saw light usage in a few hours of the time it is legally active

Castle Circus – only used for brief pauses by vehicles and only very occasionally

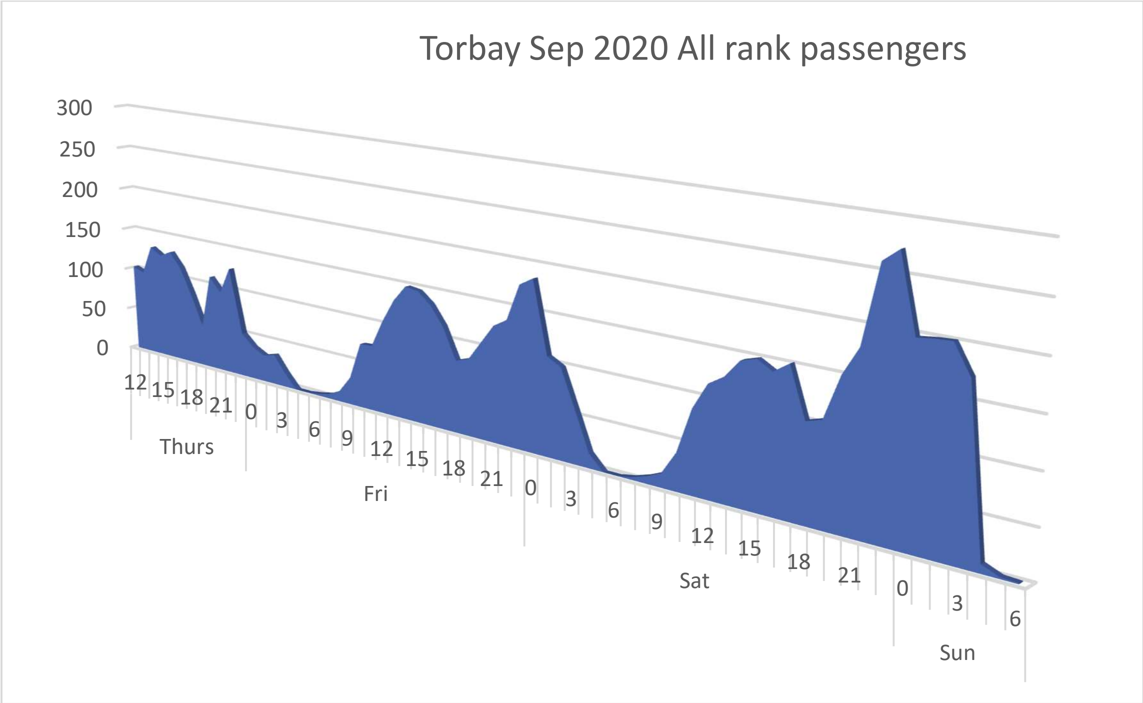
Brixham – active Thursday till 21:59; Friday 06:00 to 23:59 and Saturday 07:00 to 23:59, otherwise no activity apart from one or two quiet hours.

Paignton Station – private – active till 23:59 Thursday, 07:00 Friday to 01:59 Saturday and 08:00 Saturday until 02:59 Sunday. Just one lightly used hour 07:00 Saturday otherwise all other hours saw no activity. The last trains arrived at 22:56/57 Thursday/Friday (21:15 ex London), and 23:25 Saturday (from Newton Abbot only).

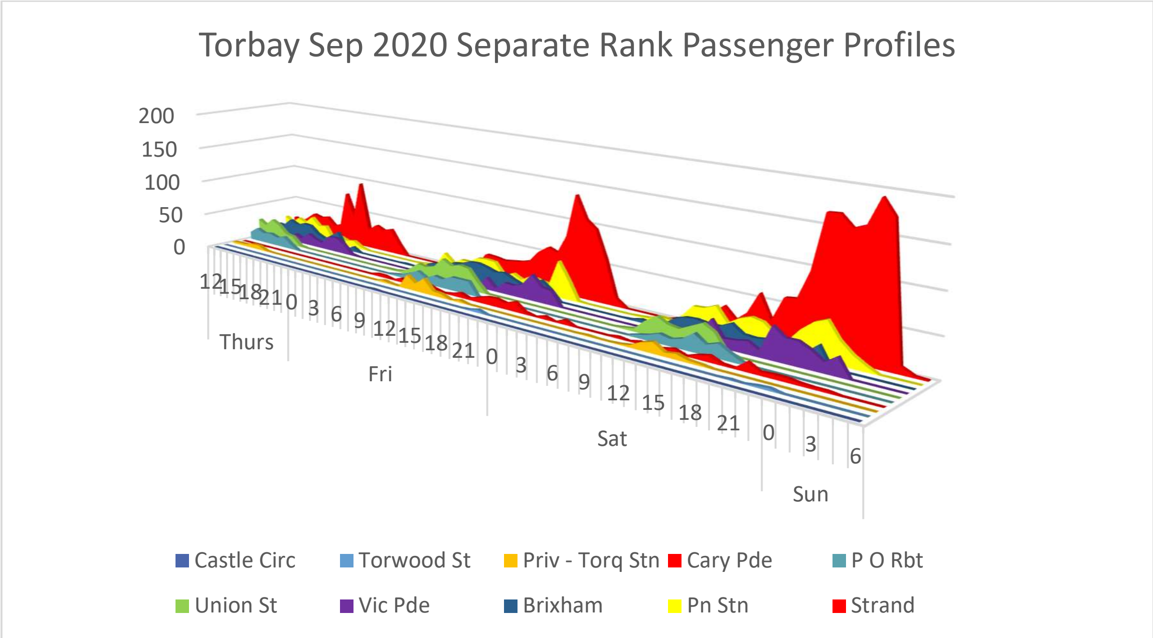
Further review was used to provide the following demonstration of how demand varied over the survey period (using actual data only). These graphs are comprehensive given that all ranks were observed in full over the period covered.

The graph below shows total hourly passenger flows across all ranks in the area during the period surveyed. All three days show a similar pattern with reduced flows around 18:00 and 19:00 each day after which there were peaks growing in size from Thursday to Friday to Saturday. Daytime flows appeared similar on all three days. There were two hours in the early mornings of both Friday and Saturday that saw no passengers at any rank, otherwise there were people using ranks somewhere in the area in all observed hours, even on Sunday mornings.

Average passenger flows in 2020 were 94 per hour, interestingly not a great amount (about 4%) reduced from the 98 estimated for the survey period in 2018. However, the peak to average ratio in 2018 was 3.7 compared to the lower 2.9 in this survey – about 25% down. This peak was also much earlier in this survey, in the 23:00 hour compared to the 02:00 hour in 2018. The most significant losses were from the night economy, with the four largest hour reductions being from the midnight to the 03:00 hour in the early hours of Sunday.



The second graph considers each separate rank compared to the others, and demonstrates the different contributions of each rank compared to each other.



The graph shows the rise of numbers from Thursday to Friday to Saturday, typical of many rank usage profiles. It does, however, show that morning flows appear relatively similar on all three days although Thursday seems to have the earliest peak flow levels, albeit at a lower level than the late night peaks on Friday and Saturday nights.

The graph also shows the clear dominance of the Strand rank in passenger numbers. This is the principal rank operating overnight. However, Paignton station rank also contributes strongly to the Friday – Saturday and Saturday – Sunday peaks although generally ending much earlier than the Strand. Victoria Parade also clearly has an important role principally in evenings but with some daytime usage.

Union Street and the Post Office roundabout both operate during shopping hours with the former having generally higher levels of patronage. Brixham tends to run at fairly constant levels through the day but decreases much less on Friday and Saturday nights than on Thursdays. Cary Parade operates at most hours but at a generally lower level overall.

Surveyed hours with observed unmet demand

Information from the rank observations was reviewed to consider only those hours when there was average passenger delay (APD) identified. Of the total hours observed, 21% had average passenger delay of any amount. 44% of these hours with delay had levels of a minute or more (9% of the total).

Five of the six APD of over eight minutes were in hours where passenger flows were relatively low (7 passengers total or less in the hour). These are cases where flows are such that vehicles often tend not to wait and are notoriously hard to see good service and consequent unmet demand – known as cases of thin demand (which should not really be counted towards significant unmet demand).

In terms of the overall average passenger delay across the surveyed hours, for all ranks, this is 37 seconds per person shared out over all those using hackney carriages. However, when applied just to those that actually had to wait, the typical wait was 4 minutes 24 seconds. 78% of those waiting waited between one and five minutes, 15% six to 10 minutes and 7% 11 minutes or more.

However, the pattern across the area varies. Over the full days observed, Torquay Station saw the worst average passenger delays – over four minutes on the Thursday, just under six minutes on the Friday and 56 seconds on the Saturday. Brixham had 1m51, 1m11 and 1m 54 respectively. Paignton Station saw 1m17, 34 seconds and 1m 4 respectively. All other ranks, all in Torquay, had average passenger delays over each day of no more than 51 seconds, with many less than that (e.g. Union Street, Saturday, just one second).

A review of the times that passengers experienced waits for hackney carriages suggested this was spread over time and not concentrated on any one period of the day or week. The worst average passenger delay in an hour that was not related to 'thin' demand was of 10m 31 seconds at Brixham at 18:00 on the Saturday of the survey.

Further discussion regarding how significant this unmet demand is follows in the later chapter specifically regarding this.

Frequency of vehicle operation during rank survey

For this survey, a sample set of observations were undertaken to identify the vehicles that were active on both the Friday and Saturday of the rank observation programme. Five different locations were observed covering a total of 7.5 hours each day. A total of 391 different vehicle movements were observed, of which 57% were on the Friday and 43% on the Saturday. All were near to ranks or routes to or from ranks but not at ranks in order to minimise any opportunity for the observations been seen and 'played up' to.

The observations were reviewed to confirm observations that were legitimate hackney carriage and private hire vehicles from the Torbay licensed vehicle fleet. A total of eight observations, just 2% of those noted, were not local licensed vehicles, with perhaps half of these possibly registered with one distant licensing authority, although these vehicles could also have simply been visiting the area for various reasons as the observations were not meant to identify what activity each vehicle was undertaking in detail.

76% of the observations were identified as local Torbay hackney carriage vehicles. 22% were local Torbay private hire, with the remaining 2% not identified (1% could have been mis-observations and 1% out of town plates).

At the time of the survey, both the all-year and the summer hackney carriage plates were on issue. However, as in the previous year, one all-year and one summer plate were not renewed, and at the time of the survey two vehicles were off the road awaiting replacement vehicles. The number of plates available for the survey period was therefore 165 hackney carriages.

Over the two-day sample, 53% of the active available fleet (AAF) was observed. Just 16% of the AAF were observed at more than one location, with no vehicle observed in more than two different locations. 39% of the AAF were observed only passing along Cary Parade. 17% were only observed in Brixham. 14% were only observed in Paignton, with the same proportion seen only in Union Street. 3% of the fleet were observed in Brixham and also at other Torquay ranks. 5% were seen in Paignton and also at other Torquay ranks.

6% of the fleet were seen at two different Torquay ranks (split 50/50 between Cary Parade and Pimlico and Cary Parade and Union Street. This suggests the fleet is generally focussing on operating from one location at the present time.

In terms of total hackney carriage observations, 46% of all were passing Cary Parade, 23% in Brixham, 14% in Union Street, 12% at Paignton and just 5% in Pimlico, Torquay. This suggests that the main rank sees the most vehicles and the most active vehicles.

However, all values suggest that there is plenty of spare capacity within the current fleet in terms of provision for the observed level of service identified from the rank observations themselves.

With respect to the summer plates, just one was observed at or near ranks with this single vehicle observed near the Union Street, Torquay location during the mid-day observation on the Saturday of the survey.

With respect to private hire vehicles from the licensed Torbay vehicle fleet, 16% were observed during the observations. Compared to the hackney carriage fleet, private hire were seen in less locations, although the main focus was on hackney carriage. There was a similar highest focus on the route through Cary Parade, with Brixham second, but overall much lower levels of activity in locations near to ranks.

Observed usage for those with disabilities

The overall observations across all ranks found that 7% of the observed vehicles at ranks appeared to be wheel chair accessible vehicle style. This compares to 3% of the hackney carriage fleet that are this style. This may arise either from a tendency for the WAV style vehicles to spend more time at the ranks than other vehicles, or from the possible issue that a number of vehicles in the fleet may appear to be WAV but are not actually WAV-capable (i.e. minibuses or larger WAV style vehicles that are not fitted with ramps or other items that see them WAV-capable).

During the course of the September main observations, 13 people were observed accessing hackney carriages at ranks in wheel chairs. There were three each at the Strand, Brixham and Paignton Station ranks. Two people were seen at Cary Parade and one each at the Post Office roundabout and Union Street ranks.

For the seasonal samples, there were no persons identified in wheel chairs and five with observable disabilities, the largest again being at Paignton station (3) plus one each at The Strand and Brixham.

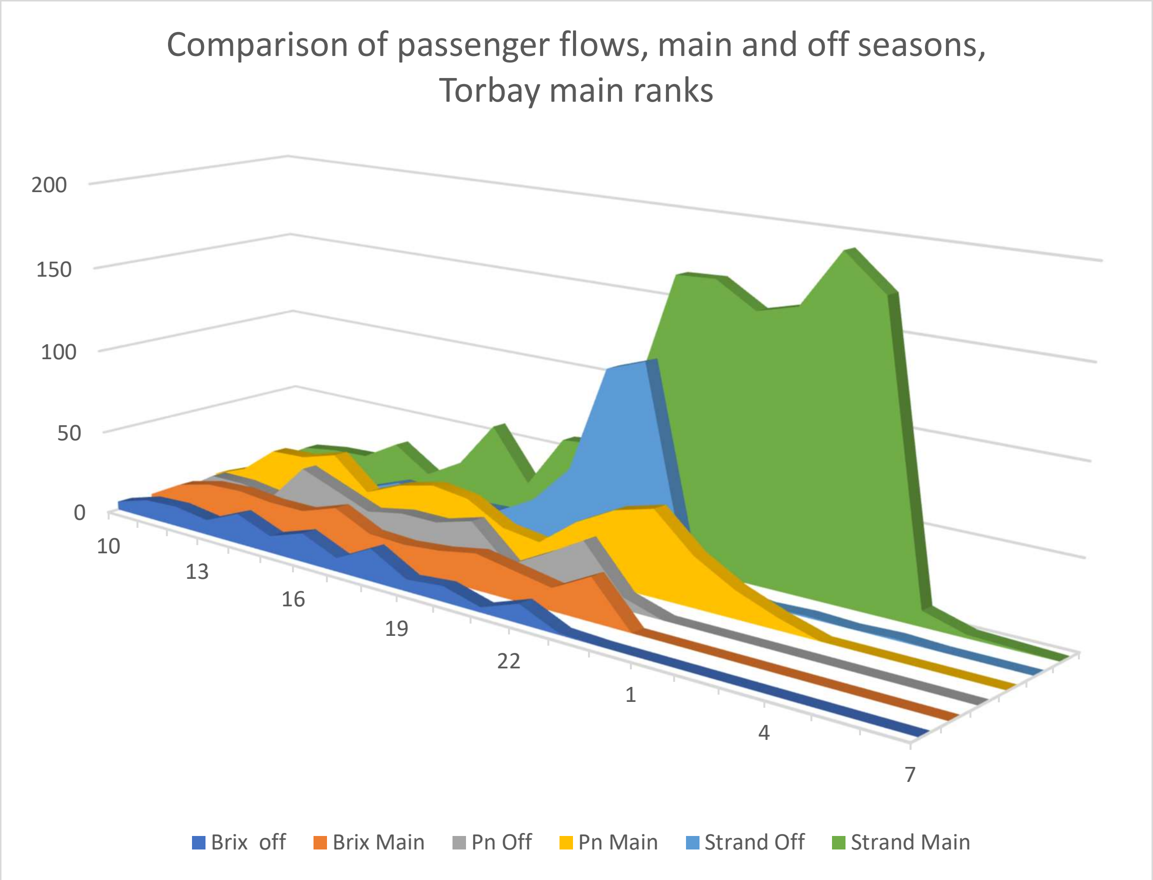
In the main data, a further 89 people were observed with other forms of visible disability, mainly people using sticks. The largest number was at Paignton station (27), then Union Street (24), the Strand (14), Brixham (13), and finally Post Office roundabout (11).

Rank operations in off-season

A further subset of rank observations was undertaken to supplement the understanding of the level of rank-based operations at a different time of the year. This was undertaken initially to understand the level of demand at the busiest three locations after the seasonal plates had ceased operating. However, with the developing pandemic this test also observed a period when the 22:00 curfew on hospitality had been applied. The survey collected information from Saturday 24th and Sunday 25th October 2020 but only the Saturday was analysed and compared.

This period included the imposition of the 22:00 curfew on hospitality venues but was before the second national lockdown.

The graph below compares the Saturday main data with that from the late October observations.



The graph clearly demonstrates how the curfew sharply ends demand in the late October information. It also shows that for the main Strand location the curfew introduced a very strong peak compared to other hours at this site. The same was true for Brixham and Paignton, but to a lesser degree. The Strand site did continue to see some demand through the night, but both Brixham and Paignton saw no passengers or vehicles beyond the 23:00 hour.

The Saturday data comparison found that for the Strand observations, passenger departures were 29% in October compared to September, with vehicles reduced to 35%, suggesting more vehicles per passenger in the more recent information. This was matched by more empty departures off-season and a slightly lower occupancy. For Brixham, vehicle arrivals were 91% of September values in October, but passengers were just 56%, with a huge rise in empty departures, suggesting a much better passenger service in the off-season, but much worse operating conditions for the trade.
For Paignton, the key change was no passengers after the 23:00 hour at all. Here, passenger and vehicle flows reduced equally to about two thirds the September level in the October observations. Empty vehicle departures reduced.

In terms of passenger delay, the Strand site in October only saw people having to wait for a vehicle in the 21:00 and 22:00 hours when the curfew led to passenger numbers doubling from the 20:00 hour to the 21:00, then remaining high for the 23:00 hour. Some activity remained from midnight on but at the level of between one and three passengers with many hours with none.

In Brixham some impact of the curfew was seen, but there was a stronger peak of passenger flows in the 18:00 hour. Passenger delays occurred in the 16:00, 18:00, 20:00, 21:00 and 22:00 hours. This seems counter to the lower reduction in vehicles compared to much larger passenger reduction.

Paignton station rank also saw impact of the curfew in the 22:00 hour having passenger delays. However, the worst hour for passenger delay there was the 17:00 hour followed by the 18:00 hour.

Overall, the off-season observations see the strongest reductions at the Strand, which fits with reduction of tourist based demand, whilst both Brixham and Paignton appear to be less impacted by the reduction in tourism, suggesting more local demand in these two towns. The Strand saw the strongest impact from the curfew.

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 details of the results of the on-street responses are included in Appendix 5.

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.

For this survey, people were interviewed directly on the streets from Monday 14th to Saturday 19th September 2020. Methods used were COVID-secure which reduced the level of interviews possible even though more time was allowed for the work to be completed. Of the target of 200 interviews, 135 were obtained. It proved more difficult to obtain larger samples in the two smaller towns. These results are therefore marginally more indicative than normal. Several interviews ended part way through.

13% were obtained in Brixham and 11% in Paignton, with the remainder in Torquay, some near to the Harbour. 75% of those interviewed said they lived in the Torbay area (with proportions similar across the area). In the previous survey there were more non-locals (57% lived in the area). The remainder provide a range of postcodes, covering several parts of England with no specific place dominant.

Comparing the interview sample with the latest estimates for Torbay from the census (2020 values based on the 2016 estimates from 2011), more men were interviewed than expected (63% compared to a census level of 48%) whilst more of the mid-age group (31-55) were interviewed (52% sample compared to 33% census) with significantly less of the younger group (just 6% compared to 17% expected) and 42% of the older group compared to 50% in the census. Part of this will relate to the small sample size whilst other differences will result from the inclusion of a high level of people not from the area. The impact is most likely to favour more traditional hackney carriage responses. The proportion of the older group was much higher for the two smaller towns with no younger age group interviewed at all in Paignton. This may bias those two town responses much more towards hackney carriage usage. The lower proportion of the older group was similar to the previous survey, but that survey saw marginally less males than in the census.

37% said they had made one or more trips by licensed vehicle in Torbay in the last three months, very similar to the 36% of the previous survey. Of these, for this survey 26% (44% in previous) said they had only used hackney carriage, 30% (25%) said they had used both hackney carriage and private hire whilst the remaining 44% (33%) said they had used only private hire. The shift to private hire usage in this sample is notable.

As expected from the age sample, the hackney carriage usage was higher in the two smaller towns for this survey.

People gave their frequencies of use of licensed vehicles in the area. 45% said they had never used them. 18% said once or twice yearly, 11% said less than once a month but more than twice a year whilst 6% said three or more times weekly. Using average levels, an estimate of trips per person per month of 1.7 was obtained (increased from 1.3 in the last survey). The similar level for hackney carriage usage was 1.0 (0.7), suggesting 58% (54%) of licensed vehicle usage was in fact by hackney carriage, a relatively high level and marginally increased since the last survey (counter to the suggestion that more got licensed vehicles by phoning).

Split by area, usage in Brixham was 3.9 trips per person per month, 1.7 in Paignton and 1.3 in Torquay. For hackney carriages, the values were 3.8, 1.6 and 0.4, suggesting most respondents in Brixham and Paignton tended to use hackney carriages with the level significantly lower at 30% in Torquay. This result may be due to the age bias as already stated, although the result is similar to that observed in the previous survey.

People were asked how they normally obtained a licensed vehicle in the Torbay area. 36% (30% in the previous and 23% the survey before) said at a rank with a further 14% (5%) (2%) saying they hailed on street. This gives 50% for direct hackney carriage usage, in the same order (but slightly lower) than the estimate from the usage statistics. Compared to previous years the clear trend is increase in usage of hackney carriages. 38% (45% previous and 75% two surveys ago) said telephone (continuing an apparent reducing trend) and 3% an app. 8% said 'other' but only one said this was by walking into a booking office. The trend from previous surveys here appears contrary to the responses to which vehicle type they had used although the earlier values do show increase in those using both types of vehicle that might help explain this.

People were invited to tell us the companies they phoned for vehicles. 31% of respondents gave us at least one company. Of these, just 5% gave three names, 19% two and 76% just a single name. This suggests either reasonable satisfaction or an element of a concentration of the industry on a few large players.

Just five companies were named, with the largest gaining 43% of the responses given. The second largest gained 22% and the third, the hackney carriage operator, 17%. The other two responses had 9% of the responses each, one exclusively in Brixham (a private hire company) and the other with responses from Paignton and Torquay being a small mixed fleet (i.e. both hackney carriage and private hire) operation. This is a strong reduction in the number of companies quoted compared to the previous survey. The share taken by the largest company had reduced however from 52% last time. This suggests the market has become more focussed at this time.

58% of those responding to the question about how often they used hackney carriages in the area said they could not remember when they last used a hackney carriage. This value was highest in Torquay (62%) and lowest in Brixham (41%) with Paignton at 53%. This value is increased from the 47% from the previous survey which is consistent with the initial thought that hackney carriage usage had reduced.

9% could not remember seeing a hackney carriage in the area (the same as in the previous survey), with the proportion highest in Brixham at 12%, lowest in Paignton at 7% and average in Torquay. This is a reasonable level in general albeit perhaps a little high given the recent application of the livery for hackney carriages (where in such areas it might be expected these values would be almost zero if the livery was appreciated and having impact).

12% said they only used them once or twice yearly, with between three and five % each for the other five frequency categories. Torquay generally saw the lowest hackney carriage usage of the three areas although again this might be impacted by the structure of the age profile of those interviewed.

When asked about ranks, 27 different names were given, some for the same location. 62% of those interviewed provided rank names. Of all those giving names, 48% named just one rank, 20% two and 32% three. A total of 155 mentions were given overall. Of these, 59% of responses were for ranks people named but then said they did not use. In the previous survey this level was 43%, suggesting reduced rank usage now. Some locations mentioned in this survey were not clearly identifiable as ranks (e.g. Factory Row Torquay) whilst some named booking offices as ranks.

The top rank mentioned was Torquay Station with 19% of all mentions. This value was highest in Torquay (22%) but still obtained 7% and 6% of Brixham and Paignton responses respectively. Strand (if Torquay Harbour and Torbay Road quotes are included) obtains 16% - but all but one mention is in the Torquay interviews. This rank was the one most known about in the previous survey. Union Street (with two names given) obtained 14% of all mentions, again all but two of which are in Torquay. Victoria Parade gained 8% overall, all in Torquay (11% of that area total).

Paignton station obtained 6% (but 44% of all mentions in Paignton). This was reduced from the previous survey where this had been the most known rank. The same amount named Cary Parade but mainly focussed on Torquay responses. Most people called the GPO roundabout rank 'Pimlico' – between these two names this location obtained 6% of mentions. Bank Lane Brixham obtained 5% of mentions. All but one of the 3% mentioning Castle Circus said they did not use that location. Princess Theatre gained 3% of mentions, all in Torquay. Other places, many of which were unclear what active rank they represented, gained 1% or less of responses. These included Lymington Road coach station rank, Ace Taxis Brixham and Torwood Street, Torquay.

People were asked about their last Torbay licensed vehicle journey. There were a total of 51% of those interviewed who gave their opinions and did so for all categories. Overall, the views of the standard of all aspects of the service ranged from good to very good, with a small number of exceptions. There was no discernible difference from the previous survey in this regard. For the whole area, the only poor or very poor scores were for price, a typical response. Even these scores were low, just 3% for each category overall for price, suggesting a good result. The two overall highest very good scores were for driver behaviour and driver knowledge of the area, very encouraging.

However, there is a clear difference between the three areas in this latest survey. Whilst Torquay had some average scores and one poor score (for price), Paignton saw average scores for all but two categories, and had a strong 22% score for very poor on price.

In Brixham, there were average scores for vehicle cleanliness and repair as well as driver knowledge of area, and a poor score for price. There was also a tendency in Brixham for scores to be good rather than very good for at least four categories. Whilst service is clearly still good, this is a significant difference between the areas which is worthy of trade consideration – albeit based on a small sample of just seven respondents.

Just two comments were received in the 'other' category, of no real consequence, with further details seeing six different statements made four of which related to trips being expensive. One compared fares as being high compared to Birmingham, another to Cardiff.

Over the whole area, 47% of respondents told us changes that might encourage them to use hackney carriages or use them more often. The main item was cheaper fares, with 32% of respondents saying this. However, 32% said nothing and a further 21% said nothing as they were not from the area. The largest of the trade-related items that would improve usage was better drivers, scoring just 6%, with more hackney carriages either at rank or by phone both scoring just 2% each. This suggests little opportunity to increase hackney carriage usage.

Across the area, 81% said they did not need, nor were aware of anyone that needed an adapted licensed vehicle. This value was 90% in the previous survey which implies increased potential need in this survey. However, this is a relatively low level, with that for Paignton being lower at 60%. The type of vehicles needed scored 11% for WAV style and 7% for other styles, suggesting a range of vehicle need which appeared to be a change against WAV style that was more strongly required in the previous survey. This fits with the reduction in WAV in the fleet which could therefore be potentially seen as a reaction to people needing different vehicle styles in relation to a wider range of disability.

With reference to latent demand, 84% of respondents provided an answer, with four saying they had given up waiting at a rank. Two of these were not active ranks, one was in Brixham and one was Cary Parade. This suggests the latent demand factor for Torquay is 1% (1.01) and for Brixham 6% (1.06) but for the area overall 1% (1.01). (see further in unmet demand chapter). These values are reduced from the previous two surveys. It should be noted, however, that the Brixham respondent qualified their response by saying 'years ago', but the value has been retained as a worst case as it has clearly remained in their memory. The Cary Parade issue was for a Paignton respondent, but 'a week ago'.

77% of respondents gave a view if there were enough hackney carriages in the Torbay area. All responded they felt there were enough. This continues the upward trend observed in the last two surveys of increasing confidence that there are sufficient vehicles available in the area.

COVID-19 responses

People were asked how their usage (in early September 2020) had changed compared to pre-COVID times. 84% provided a response. 96% said they used licensed vehicles about the same. 3% said they used private hire less and 1% hackney carriages less. None said they used either type of vehicle more.

People were then asked how they thought their usage of licensed vehicles might be different a year forward, i.e. in September 2021. A similar 84% responded. Again 96% said they would use them about the same. 2% said they would use private hire vehicles more and 1% said hackney carriages more. None said they would use them less.

People were asked about COVID-19 security measures for licensed vehicles. 86-87% responded to the various questions. For the full area results, masks being worn by both drivers and passengers were felt essential, as was cleaning of the vehicle. Screens were important and drivers opening and closing doors was not important. Responses were the same for Paignton and Torquay but in Brixham people felt using screens was essential but masks only 'important' for most respondents. Overall the strongest essential matter was being certain the driver had cleaned their vehicle before a passenger used it.

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 is normally 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. However, due to the COVID pandemic, contact other than by email proved to be effectively impossible as people focussed on providing customer service rather than giving views on other subjects.

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.

Further listing of who has responded and how is provided in Appendix 6 but ensuring privacy where appropriate for those contacted.

Supermarkets
It was not possible to contact supermarkets since all were focussing on customer service to those needing their products.

Hotels
A Torquay bed and breakfast location told us licensed vehicles were important to their business and customers. Main use was in evenings for customers to get to and from restaurants. Most made their own bookings by mobile phone with some using ranks to return, but most encouraged to make return bookings when possible. They were not aware of any change in availability after COVID and felt the vehicles and drivers worked hard to keep their use COVID secure. They were keen that the licensed vehicle service provided supplemented the good experience of the area the business sought to provide.

Public houses
A pub in Brixham told us their customers did use local licensed vehicles. Most were booked by phone, app or online. They said there were occasional issues with lack of availability.

Night clubs
No responses were received.

Other entertainment venues
A local Torquay church told a small proportion of their congregation used local licensed vehicles. Most made bookings. They were not aware of any issues with availability and were grateful the service had remained safe and available through the COVID situation. They were keen the Council would continue to keep information about using taxis safely at a high profile. A heritage centre in Brixham said they thought that their customers mainly arrived in their own vehicles.

Restaurants
A Torquay restaurant said their customers used licensed vehicles occasionally. Most made online, telephone or app bookings. They were not aware of any major issue with availability, although if a vehicle was not available it meant their staff might have to wait till the vehicle had arrived before they could close as they would not leave customers stranded.

A restaurant in Paignton told us their customers did use local licensed vehicles. Mainly they obtained them by booking, on-line or using an app. They suggested weekend waiting times could be 45 min to an hour and felt more operators were needed in the area at those times.

A Brixham restaurant was only open in daytime hours and said they were not sure if any of their customers used local licensed vehicles or not.

Hospitals
No comments were provided.

Police
No comments were provided.

Disability
One disability group said they had once tried to make use of licensed vehicles for those who had suffered strokes. Their attempts did not result in any bookings and different arrangements were eventually used. No further information was provided.

Rail and other transport operators
No comments were made.

Other Council contacts
It was agreed that no further attempt would be made to elicit further response given the pressure on various businesses at this time. Opportunity had been provided if there were items that operators needed to be aware of.

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.

Taking into account the multiple involvement of some parties, the number of individuals involved and therefore contacted to complete the driver survey, was in the order of 602. 172 responses were received, 29%, showing a very strong response rate, which is encouraging.

The survey was issued once the rank work had been completed, which implies its responses are impacted by the imposition of the 10:00 curfew which occurred the week after the rank observations.

The responses were reviewed and validated with no evidence of duplication. The largest proportion came from those saying they drove private hire vehicles (50%). This compares to 65% of the vehicle fleet being private hire. A further 3% said they drove both private hire and hackney carriage whilst 8% said they did not drive (mainly owners, but also some with driver licences who clearly had chosen not to drive for some reason). 39% said they drove hackney carriages.

Those responding had a wide range of lengths of service in the industry, with the most experienced person having been involved with the Torbay trade for 52 years. The average length of service was 13 years. Comparing those stating only hackney carriage and only private hire service, the average and maximum levels were both higher for hackney carriages (13 compared to 9 for average service and 52 and 37 years for the maximum length of service).

In terms of work normally undertaken, 37% said immediate hire work from ranks. 31% said immediate hire work from bookings, 22% advanced hire work and 4% chauffer or corporate work. The remaining 6% confirmed they were not drivers.

The overall profile across the survey for days worked found the highest frequency was five days (44%), followed by six days (21%), four days (16%), not working (8%), seven days (5%), two or three days (3% each) and the final 1% for one day only. The average was 4.5 days.

Comparing hackney carriage, private hire and both categories for days worked, all saw the highest percentage for five days (40, 44 and 60% respectively) but the hackney carriage profile was much more focussed on the higher number of days, resulting in an average for hackney carriage of five days compared to 4.2 for private hire and 5.4 for ‘both’. No private hire driver said they had worked seven days. 10% of hackney carriages said they had.

With respect to hours worked in the week before completing the questionnaire, the overall average was 35 per week. The maximum quoted was 70 hours. When considered split between hackney carriage, private hire and those saying ‘both’ the values were 40, 34 and 33 respectively, suggesting a typical profile of longer hours for hackney carriages.

Just over two thirds of respondents told us their main issues that affected their choice of when to work. The main item quoted was simply that people were able to choose when they preferred to work, with no further detail (31%). 18% said they worked around family commitments, 11% determined by changes introduced by Covid-19, 9% covering busy times, 6% due to working shifts, 5% each avoiding either disruptive passengers or busy traffic, 4% in order to meeting bookings, 3% health reasons and 2% as it was their second job. 7% of responses were other reasons, none of which had more than one response.

Respondents told us if they owned and drove their own vehicles. 76% said they did. Just 27% said someone else drove the vehicle that they drove at another time although only 38% answered this latter question. Various other periods were given, none being dominant.

Drivers were asked if they accepted pre-bookings. 94% gave a response, of which 86% said that they did accept pre-bookings. A check was made of those that drove hackney carriages, or those that said they drove both but clearly used ranks. This found that 87% of all hackney carriages responding said they did accept bookings.

For the full response, 53% of bookings were via an office, 29% by phone and 7% by phone or email, with the remaining 11% by a mix of the above plus contracts and apps. This would include those taking bookings via the Cary Parade hackney carriage office.

The question about rank usage received responses from 70 drivers. Two further responses from those driving private hire were inspected and removed as they clearly stated all their work was from bookings. The total included all but two hackney carriages (who both said they worked full time on school contracts), one owner and three of those that said they drove both hackney carriages and private hire vehicles. This demonstrated several trade names for ranks in the area:

- Short Rank = The Strand
- Long Rank = Victoria Parade
- Haldon Rank = Union Square rank

In other cases, different names were used for the location including GPO roundabout and Tesco (the public also used this terminology), and Torquay Harbour which was assumed to be The Strand but could also be Victoria Parade. Of all the responses, 60% gave three ranks (or in some cases simply named all three places in the area), 23% gave just a single rank and 17% two ranks. 11% named only Brixham. 9% named just Paignton.

Some 166 different mentions were made of ranks. When transformed to a common set of names, 23% said the Strand, 17% Union Square, 17% Victoria Parade, 10% GPO roundabout, 9% Brixham, 8% Paignton, 7% Cary Parade, 3% Torquay station, 2% "Torquay", 1% each for Torwood St, Torquay Town Hall and the Coach Station. 1% said "Abbey Road", the only response not directly linked to an active current rank.

Drivers were invited to confirm if they thought the limit policy remained correct for the area. Most responded (94%) of which 91% agreed this remained correct. This included most hackney carriages, nearly all that said they drove both kinds of vehicle and a good number of private hire drivers.

Of those that agreed the limit should remain, 56% said if unmet demand was identified enough plates should be issued to meet it. 5% said in that case the limit should be removed altogether. 39% took time to give various other responses. The largest number, some eleven drivers, said they did not think there was sufficient work at the present time. Several commented the situation with COVID meant no decision should or could reasonably be taken. Six said the survey should identify the times and places with issues and allow the trade opportunity to revise operations.

Two suggested summer plates should be made full year whilst others said summer unmet demand was best met by extra summer plates.

One advised us many vehicles were not in use at the time of our survey. Another suggested issuing plates to replace unused ones, but adding a requirement that unused plates were returned to the Council, whilst another said limit owners to a single plate, or that renting should be prevented.

Just 9% felt the limit did not remain appropriate. Two of these were those that had summer plates whilst ten were private hire, most of whom said they felt if unmet demand was identified the limit should be removed completely. One private hire disagreed with the limit and also felt there should only be one type of licensed vehicle, all hackney carriages.

Of those that agreed with the limit but said if unmet demand was found the limit should be removed altogether, five respondents were private hire and the other two were hackney carriages. However, both the hackney carriage respondents also gave good reasons to retain the limit.

Half of the respondents told us why they thought having a limit was a benefit. The top reason, with 46% of the response, was that it encouraged quality service. 35% said it prevented rank congestion getting worse. 10% said it provided known drivers to the public. 8% said it principally benefitted the drivers and industry, which fed back to the public getting a better service than otherwise. One person (1%) said the limit policy had been proven to work. A further 11% said they did not feel there was any benefit.

Respondents told us how they most frequently got fares. Of all responses, 29% said mainly rank, 50% mainly telephone and 19% school contracts. However, there was only one who said they were totally dependent on ranks, one hackney carriage owner driver. In comparison, 75% of those saying they drove private hire and giving responses said they were fully dependent on phone bookings.

School contracts were very important to the hackney carriage trade. There were two hackney carriage respondents that said they were entirely dependent on school contracts. Three private hire were similarly dependent.

Hailing was important to most hackney carriages, but only accounted for no more than 25% of their fares.

Covid impacts

Opportunity was taken to invite those responding to provide their input regarding the impact of COVID-19. The questionnaire was issued after the rank surveys had been completed and though meant to tie in with the rank work in many cases it would have been completed once the night curfew at 22:00 had been instigated.

34% of all respondents said they were aware of drivers who had given up arising from the COVID-19 impact.

5% of those saying their vehicle was not driven by others at the time of response said this had changed since COVID i.e. they had stopped sharing a vehicle. This implies an overall reduction in vehicle availability although it may also mean that the first driver will now work longer hours.

Respondents were asked to compare their 2020 October fare paying trips to the same period in 2019. This covered rank-based and booked trips separately. There was one respondent that said rank work had been 10% up comparing to the previous period in 2019. Two said there had been times that were busier and others that were much quieter. Seven said overall demand was about the same. 54 said demand had reduced, with an average reduction of 44%, but ranging from small levels to complete total reduction in rank fares. In terms of comments, one said they had not worked at all, two said rank usage had been falling but this had been increased by COVID-19 issues, and three said they had chosen to work less.

There were 76 responses about bookings. The average reduction was 39%, a bit less than for ranks. Four said overall bookings at the time of response were very similar to the same time a year ago. Two said they were working less and one said bookings had reduced but mainly because they were working less. As for the rank work levels there was a range of reduction with some only moderate and others extreme. One said the early losses were 80% of bookings but that for October the level was about 10% less.

On the private hire side, four said they had only begun work during 2020.

One hackney carriage said they planned to retire in 2021 in any event, another thought they might do so.

Many provided more detailed comments about the impact of COVID-19. There were a very few who said they had managed to continue and see little change. One said people taking English holidays and not travelling abroad had helped. Two took extra school contract work. Another said they had gained work from people nervous to use buses for COVID security fears.

Airport specialists (mainly private hire) had suffered very badly. One private hire operator said they had ceased trading. At least five had chosen not to work from concerns for their own health or for that of those they lived with.

Several said the months over the Summer after the initial lockdown had been busy, but one pointed out this could not make up for four months of very little activity. Several had benefitted from government assistance and would not have survived without that. One mentioned their not gaining rent from the driver who usually rented their hackney carriage.

In terms of thoughts for the future, responses found a range of views. Seven were hopeful for recovery. One thought it would be busier in the end. Four however thought the difficulties would go on longer than people expected. Three had moved from hackney carriage rank operation to private hire bookings. Three planned to retire and at least five others said they were reconsidering their futures. Several had focussed on school or other contracts and one had decided to swap to delivery driving.

These comments all confirm that at the time of the survey there were definitely less drivers active, and more so in the hackney carriage rank-based operation than there would have been for the same period a year ago. Although it was clear several hackney carriage related drivers now planned to retire and others were considering the future more carefully, there was also sign of new entrants who had remained in the industry despite the tough times they had almost immediately experienced.

Other General Comments

More general comments included the need for the hackney carriage trade to up their game on similar lines to the levels of service provided by private hire vehicles, who had added innovation such as apps, ability to pay by card and various other items. Several were keen to obtain their own plates rather than rent. One felt fares were too low. Another had seen 19 years of decline in passengers. Finally, one very recent driver said they had found the times challenging but had enjoyed joining the trade and were looking forward to continuing to develop their business.

Summary
The overall viewpoint from the drivers is very wide and varied. What is clear is that a lot of the trade are having to consider their position, perhaps more than ever, with the potential result being a slimming down of both private hire and hackney carriage driver levels. However, there are also clearly many wishing to remain and invest in the trade, including those considering providing a plate by rent as a key service to the industry.

As in most places with owned vehicles available for rent, many of those renting have done so over long periods and would prefer their own vehicle. Further discussion occurs in the synthesis chapter regarding this.

Discussion with representatives of the trade
Discussion occurred with several of the trade representatives in the area. The principal hackney carriage representative told us that September had been very busy for the trade. Demand had been busy in July, August and September however this had not overcome the disastrous impact overall since March. The impact of the second November lockdown had been more severe in some ways than the initial.

He advised us that during the first lockdown many rented plates had not been in use.

He confirmed the joint permit for Torquay and Paignton stations is now obtained by an Agent of Great Western Railway, open to anyone but at a fee of £450 per year, per driver. The principal policing of these permits tends to be applied by those who pay for them. This means that neither location will in effect allow any picking up by any hackney carriage vehicle other than those with the permits, even if there are people waiting and no permit vehicles at the rank at the time.
They raised concern about the black livery which made changing vehicles much more difficult. It was particularly hard for vehicles with seasonal plates transferring to private hire for the remainder of the year, and for other vehicles swapping between hackney carriage and private hire or vice versa. It reduced flexibility in the vehicle fleet. There was also concern if grandfather rights existed or not regarding the livery on either side of the fleet.

A representative of one of the largest two private hire companies told us in early October that the current situation had seen a 25% net downturn from the start of lockdown to that date overall. A few hackney carriage drivers had joined their booking operation as a result of lower rank usage, but to operate as private hire. Some private hire drivers had also switched from smaller companies to their circuit.

Another representative provided their input. The initial lockdown reduced work by 80% but their company was kept going using Government grants and the furlough scheme. At the time of response, mid-October, demand was down between 10 and 20% on the same time the previous year. Their bookings split between app and phone calls remained about the same now compared to the previous year.

They advised us they found it hard to recruit new private hire drivers given the cost incurred by someone wanting to join the trade. On that basis, they had accepted hackney carriage drivers to help with meeting bookings. Their experience had not been positive with those drivers often having their own strong work principles that often clashed with their company policy, e.g. dress codes and acceptance of card payments in vehicles, and the fact that hackney carriage drivers could choose to drop off the booking circuit when they wished to.

They felt that the private hire element of the industry had worked hard to keep up with or ahead of customer requirements whilst hackney carriages had tended not to. Examples included use of card payments in vehicles, fixed fares, use of apps and various other ways they had learned customers preferred.

They agreed with retention of the limit on hackney carriage vehicle numbers but felt that much work loss arose from people getting a good service from companies they could phone or contact in many ways, and sticking with that. They also pointed out that they felt customers were more comfortable with drivers who were more professionally and consistently presented.

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.

Component	2020		2018		2014	2011	2008
	All	Council only	All	Council only			
Average passenger delay (APD)(mins)	0.62	0.48	0.27	0.13	0.7	0.16	0.47
Off peak hours with any delay	35.09	31.4	30.59	30.88	8	0	7.2
Proportion of passengers travelling in hours with over a minute APD	18.2	16.63	5.40	5.278	5.7	1.42	15.71
Seasonal factor	1	1	1	1	1	1	1
Peak factor	0.5	0.5	1	1	1	0.5	1
Latent Demand factor	1.01	1.01	1.047	1.033	1.101	1.126	1
Index of significance of unmet demand (ISUD)	198.89	127.4	46.72	22.39	35.15	Zero	53.16

The table provides two values for the ISUD statistic for the last two surveys. The 'all' value includes all observed passenger waiting times from all ranks. The 'council only' value excludes observations at both Paignton and Torquay stations where the number of vehicles able to service demand is reduced by the imposition of the external requirement for a permit to service that location by the train operating company. Both values are over the cut-off of 80 suggesting that the observed unmet demand is significant.

Review of the information for each element shows that, apart from the latent demand factor and the peak factor, all have change towards the observed levels of unmet demand being significant. This is a contrary result given the high reduction in numbers of passengers observed, which usually leads to improvements in the service provided if it can be assumed that the same number of vehicles and drivers are in place. Further discussion occurs below and in the synthesis section.

Given that our observations confirmed, as in the last survey, that the area tends to operate almost as three separate areas, and that there are also two ranks with further restricted vehicle numbers arising from the station permit system, further tests were undertaken to compare performance of the fleet divided up into the respective operating regimes. The table below presents the results from these tests.

Component	Torquay	Paignton	Torquay Station	Brixham
Average passenger delay (APD)(mins)	0.3	0.93	3.32	1.62
Off peak hours with any delay	27.78	53.85	35.71	50
Proportion of passengers travelling in hours with over a minute APD	10.98	22.78	45.52	51.23
Seasonal factor	1	1	1	1
Peak factor	0.5	0.5	0.5	0.5
Latent Demand factor	1.01	1	1	1.06
Index of significance of unmet demand (ISUD)	45.74	572.48	2698.83	2194.9

These results demonstrate the focus of operations and that if each were a separate zone that the level of vehicles in Torquay is clearly sufficient. Paignton during the main survey clearly had an issue but is hindered by the supplementary permit that further restricts the number of vehicles able to service this site, which acts as both station rank and general rank for the town. The restriction is worsened by the fact it is driver-based and not vehicle-based with each driver having to have their own permit. Given the cost, this permit system is policed by those having the permits fairly strongly. The reduction in drivers under the COVID-19 situation would have worsened this impact, although perhaps less so as any driver with a permit for this location would have this as a fixed cost they would be seeking to recoup. This may be why the statistic for this location is much better than that for Brixham.

The same issue applies to Torquay Station, although that location is purely a station rank. The difficulty there is that demand has fallen significantly given its single source of demand has reduced, but when trains arrive it can leave people waiting till the vehicles that were there return. Although the same issues applies that people might wish to service the location to recoup costs, the sole source of its patronage from rail would mean it was much harder to do thus at this location, particularly given the better pickings not far away in central Torquay. The issue over the survey weekend was complicated by a charter train arriving towards lunch time on the Saturday.

The issue of Brixham is complicated in several ways:

- The town is at the far end of the area and geographically remote
- The town itself is hilly discouraging walking and cycling
- Journeys tend to be short
- There is no public transport within the town apart from the service towards Paignton and Torquay and a few other rural services
- The taxi service provided (both private hire and hackney carriage) is very locally based, operated and appreciated as such

- We have been advised that any Torquay or Paignton based plate setting down is very unlikely to feel welcome taking any passengers and that the local passengers know their local provision and are faithful to those drivers
- There is some evidence that the fleet servicing demand tends to be more established and therefore with more drivers likely to be considering retiring than might otherwise be the case
- Our plate review and the driver survey suggested several Brixham hackney carriage plates were not operating which would have more serious impact given the smaller size of the overall operating fleet.

The pandemic has led to more parameters of the industry changing than has been usual since the start of use of the ISUD index. We have identified clear evidence of some hackney carriage plates not having vehicles attached but more seriously a larger number of drivers choosing not to work for strong and legitimate (and some times legal) reasons. However, the situation on the hackney carriage side is more stable than that on the private hire element of the trade.

Further discussion of the impacts of the pandemic on these matters follows. Overall responses to the identified operational matters is also discussed further below in the synthesis section, in the light of matters that are legally and practically possible.

8 Review of Potential to reduce plate numbers

The project brief required advice and recommendation if the final outcome of the Unmet Demand Study would change significantly if Torbay were to reduce the number of available hackney carriage (vehicle) licences by a maximum of three.

Given that the range of results and tests all demonstrate there is unmet demand, which in normal circumstances could be counted as significant, there is no headroom in any result that would provide any confidence that reduction of licences by even the maximum of three might not significantly change the outcome most likely in a negative way for passenger service levels.

Whilst we have observed many areas around England where such a reduction would be possible, expedient and even strongly important, this is not the case at this time in Torbay and is not likely to be the case for some significant time unless part of a wider package of reviews that could be demonstrated to be of public and trade benefit.

9 Review of Seasonal Plates

The project brief required an assessment on the seasonal hackney carriage licences being converted to full term hackney carriage licences. Specifically, "Torbay Council has historically held 162 full term Hackney Carriage (vehicle) licences which run from 1st May to 30th April (each year) and seven seasonal Hackney Carriage (vehicle) licences which run from 1st May to 30th September (each year). Since the outcome of the last survey, one full term and one seasonal licence have not been renewed….to advise if the final outcome of the Unmet Demand Study would change significantly if the Council were to convert the remaining six seasonal Hackney Carriage licences into full term Hackney Carriage (vehicle licences)."

In order to gather evidence for this element of the project, two elements of research were undertaken. Firstly, each of the current seasonal plate licence holders were contacted (including the person not renewing) to understand their reasons for holding such a licence, their present usage of such licence and their views of the proposed revision. Secondly, rank operation was planned for observation of up to three key locations in off-season (but within the confines of the study timetable) over key hours to understand how demand had changed particularly in terms of need for extra, or less, licences.

The contact with the plate holders was undertaken using an email with a standard short questionnaire. If necessary, further contact was made to discuss issues by phone or by further email discussion. Responses have been aggregated as far as practicable to maintain data protection and individuals.

All six seasonal plate holders were contacted. Four responded, with two having discussions with us to clarify some matters.

From our review of the overall industry structure none of the seasonal hackney carriage plates were the only vehicle owned by their owners. Although two of the six had that plate as their only hackney carriage with other vehicles being private hire. Two of the six were only plate owners and had no driving licence for themselves. One person was known to spend half their year abroad though they were a driver themselves and also had another hackney carriage.

Of the four responses, two confirmed the summer plate was rented to a driver, one of which had not been able to drive that year due to the person shielding from COVID-19. Two said the summer hackney carriage plates lower price made them affordable. One said they obtained the summer plate because it was the only hackney carriage plate on offer at the time, they would have preferred a full-time plate but none were spare.

Three said they would use the plate all year if it was transferred to a full-time operation but one reiterated that option was in reality too expensive for their business model. From the responses we received, at least four of the plates were a key part of small licensed vehicle operations whose viability would be compromised without that plate. These plates were reported as almost exclusively used for rank and hailing work, with other vehicles used for bookings or contract work. In some cases the seasonal plate was used for school contracts during term time, but never more than 30% of the time.

An issue raised was the requirement for all hackney carriages to be black and all private hire to be other than black. This led to an issue with at least one operator who usually transferred the seasonal plate to a private hire plate for the remainder of the year, although other comments suggested this issue had been resolved.

One owner confirmed they had previously had two plates, the other not having been reissued. The initial reason for non-renewal related to illness of the driver that would have driven it that year. The owner had attempted to take up the plate after that, and in subsequent years, but advised us they were told they could no longer renew it given it had lapsed. This person was themselves retired but also strongly felt they could best support the trade they had worked in by owning a plate and providing it for rent, to help someone who might not be able to afford the purchase costs of a vehicle.

In summary the seasonal plates are very important to their owners and to their businesses. Most would happily take up full-time hackney carriage licences if offered in replacement and focus their use on ranks and hailing. They appear to make a significant contribution to meeting extra demand although at least one had not been used this year though plated.

In terms of the specific question from the Brief, given the evidence we presently have, the general impact of transferring the seasonal plates to full year licences would be a positive one. It would add useful flexibility to the fleet during the quieter seasons whilst ensuring the need that is clearly there for the plates in the first six months of the licensing year remained met. Given that most of the companies that need the plates for the remainder of the year tend to transfer them to private hire, with planned usage, the likely dilution of demand in those six months would be relatively small whilst the opportunities to add flexibility when higher demand occurs (e.g. at Christmas or with off-season events occurring, e.g. Christmas lights switch-on) would be valuable.

Further discussion occurs below.

10 Impact of COVID-19

The project brief required consideration and advice regarding the impact of COVID-19 on the results of this Survey. The view about this given below is that at the time of writing of this Final Report and its summary and conclusions, i.e. within January 2021 during the third national lockdown.

The bulk of information gathered for the review was undertaken during a time of relative stability within the pandemic, i.e. principally during August and September 2021. The driver survey occurred after the night-time curfew was introduced although responses sought were meant to equate to operations about the time of the rank work. There is some evidence in that survey of comments about the impact of the curfew. The test of the top three ranks during October was during the night-time curfew but before the next lockdown and showed several impacts from the curfew as well as some of the previous impacts of the pandemic.

Overall, our view is that the timing of the study was fortuitous in that there was an air of moving back to normality around at the time of the main on-street interviews and rank observations. This optimism was curtailed partly by the curfew and then by the tier introductions and has been further dented more recently by the third lockdown, albeit tempered by the beginning of the mass vaccinations, although the future is at present very far from being clear.

It is also interesting to note that the DfT statistics published for the end of March 2020, just as the pandemic hit, generally showed the highest levels of both vehicles and drivers across England and Wales for some time. This suggested the industry was 'on the up' at the start of the pandemic, which should put it in a much better place to survive and develop than otherwise. This was true for private hire vehicle numbers, driver numbers and operator numbers in Torbay (see discussion earlier), suggesting the area was following national trends.

The main impacts of the pandemic on this survey have been resulting from many trade members having to make choices about health concerns for them or those they live with, some with direct advice that they should be shielding. Whilst some of these people had returned to work during the survey, others had not, and within the timescale and confines of the pandemic the often normal re-balancing the industry is so good at doing, had not fully been able to occur.

11 Summary, synthesis and study conclusions

This unmet taxi demand survey on behalf of Torbay has been undertaken following the guidance of the BPG and other recent case history regarding unmet demand and its significance.

Background and context

The Best Practice Guidance of 2010 remains the principal explanation of the application of Section 16 of the 1985 Transport Act to the testing of the level and veracity of a policy limiting the number of hackney carriages in any licensing area. Despite various reviews in recent years, Section 16 and the BPG still remain the benchmark legal background and guidance. Both the Law Commission review and the results of the Parliamentary Task and Finish Group suggested retaining limited numbers remained useful to ensuring good public service was provided.

The heart of any unmet demand study remains the collection of information about actual service to the public in terms of how many arrive at ranks and have to wait for vehicles to arrive. The industry standard evaluation of the measurable elements of this remains the ISUD index as developed over time through various court cases. Over time, the context of the statistical background has been widened and deepened with the principal concept of unmet demand and its significance remaining. However, over the time since Section 16 and even since the BPG, the distinction between hackney carriage and private hire vehicles has tended to become more blurred, most recently more so with changes in communication towards first mobile phones and then increasing power of mobile devices, allowing the development of pseudo-ranks in terms of the widespread take-up of app-based hiring of licensed vehicles.

Area background

Torbay is a South West unitary authority with a marginally growing population but a high proportion of older people. Being unitary it has direct control over all policies although the Local Transport Plan (LTP) is produced jointly as the Devon and Torbay LTP given the links with that overall area. The Torbay Strategy seeks a low-carbon sustainable transport system supporting the three constituent towns. In most recent statistics (before the pandemic) the tourist demand was some 8.5 million bed-nights per year and an extra 200,000 population increase. Some transport improvements achieved, notably improved bus services, have been at the expense of use of licensed vehicles.

Comment in the LTP evidence report supports taxis having an increased role as part of sustainable transport packages across the area, involving ensuring key ranks are at least six vehicles each to allow for sufficient ability to meet passenger demand effectively. The Consultation Report (2010) found that licensed vehicles had the highest level of customer satisfaction within various public transport measures, putting them in a very good light in terms of overall contribution to the local transport economy.

Recent council web pages confirm licensed vehicles to be an important public transport mode with an important role providing safe, secure, comfortable and on request door-to-door services for a range of customers. Key aims are safe travel, good service levels without the trade being burdened by unnecessary conditions.

Over the years preceding the previous survey, and up to the time the pandemic began, strong investment in bus services had impacted on hackney carriage and private hire usage, particularly the longer distance journeys across the area. However, with COVID-19 concerns about use of mass public transport some of this patronage may have returned away from buses, although most switch has been towards the private car.

Timetable
The July 2020 proposal was accepted in early August 2020 and an inception held at the start of September. Both on-street pedestrian interviews and the main rank observations were undertaken in mid-September 2020 at the time that there was some hope that the pandemic was beginning to resurge, but before any significant impacts of this occurred in the South West. Shortly after the rank work was completed the 22:00 curfew was introduced and the driver survey mainly saw responses during that period, with the test rank observations undertaken in advance of the second national lockdown.

Industry background
Torbay has utilised its power to restrict hackney carriage vehicle numbers since at least 1968 and has undertaken regular review of this policy. The timeline is as follows (date of rank surveys, hours and gap between observation months in brackets):

- 2005 (October 2004)
- 2008 (November 2007, 519 hours) (3 years)
- 2011 (May, 259 hours) (3.5 years)
- 2014 (October, 252 hours) (3.5 years)
- 2018 (May, 300 hours) (3.5 years)
- 2020 (September, 600 hours plus October supplementary test) (2.5 years)

Details of sample structures and times covered are available for most but not all the above but in each case the focus has been using industry standard methods to obtain a typical weekly average passenger level at each rank.

Whilst the number of hackney carriage vehicles has remained stable given the limit policy, with just two total vehicles not renewed from around the time of the last survey (both due to driver availability issues), the unregulated number of private hire vehicles which was increasing soon fell by around 10% between the DfT survey immediately before the pandemic and the statistics valid at the time of the survey. Driver and operator numbers followed a similar pattern albeit with a lower reduction in total drivers. It must be noted that the means of definition of an operator in Torbay implies there will always be a very high number compared to the overall fleet.

Industry structure impacts

At the time of the survey the licensed vehicle industry in Torbay comprised:

- 161 hackney carriage vehicles
- 6 seasonal hackney carriage vehicles
- 307 private hire vehicles
- 543 drivers (all able to drive any vehicle)
- 234 operators (excluding 30 duplicates)

In total some 602 different people are linked to the above; this excludes any persons involved not requiring specific licences, such as office staff in booking offices.

Considering the various operating models the above can be divided as follows:

- 61 hackney carriage owner drivers
- 201 private hire owner driver operators
- 240 people purely drivers
- 100 hackney carriage vehicles only owned
- 106 private hire vehicles only owned

On the face of these statistics this provides 206 vehicles needing drivers and 240 that can drive them. However, there is nothing to restrict any vehicle being driven by more than one person at different times. Many people consider that owning extra vehicles is their contribution to the trade to allow people unable to afford to own vehicles but wanting to be involved to rent from them. The analysis suggests the owner-driver market is marginally larger than the rental market but that otherwise the split in vehicle operating models is almost equal between the two options (ignoring multiple use).

The Torbay industry is complex. There are multiple owners in the hackney carriage fleet although the largest has just four vehicles. On the private hire side there are more multiple owners and larger fleets – the biggest being 19 vehicles, followed by one with ten, two with eight and several others with six or less. A small number of owners have both hackney carriage and private hire in their ownership (many of these include the seasonal plates). Many other vehicles are individually owned but choose to work for either the hackney carriage telephone network or private hire companies. Internet searches suggest the principal large groups are:

- A company with 50 hackney carriages and a booking office with a rank outside
- A private hire company with 180 vehicles including ones outside the licensed vehicle system (minibuses under public service vehicle regulations) and an app
- A private hire company with over 50 vehicles

Whilst both private hire companies have hackney carriages operating for them these are understood to be fairly small numbers (albeit growing during the pandemic).

Overall, the Torbay industry uses the full range of flexibility in operating models available.

WAV vehicles

The level of wheel-chair accessible (WAV) in both fleets have continued to decline with the pandemic seeing this continue, but not increasing the trend that was set about the time of the previous survey. Notwithstanding this, with a dedicated private hire operator servicing most wheel chair requirements our view that there are sufficient vehicles with the majority of requirement well-met remains correct. Use of ranks by those with wheel chairs was relatively high and the level of WAV at ranks exceeded the proportion in the fleet.

Low or zero emission vehicles

The level of hybrid, low or zero emission vehicles is low but growing. Further detailed analysis was not part of this Brief.

Rank observations

Details of the overall scope of the rank observations are provided above. In essence the authority seeks to follow the Best Practice Guidance by having regular review of the level of its hackney carriage licences although the typical gap appears to be 3.5 years with a switch between including and excluding the seasonal plates, although the last two surveys were undertaken when the seasonal plates were operating (albeit with this survey testing impact of them not being available).

Like most licensing areas, Torbay has a large number of ranks, many of which ceased use, or significant use, as the geography and economy of the area changed and developed, and as people and trade focussed lower demand requirements on bookings. Whilst there were no specific traffic management changes arising from COVID-19 impacting on taxi ranks, social distancing and internal vehicle safety considerations did impact on overall fleet capacity. However, the observed average occupancy in the rank surveys remained the same across the area at 1.7 passengers per vehicle.

Busy ranks saw assistance from street marshals, an operational change since the last survey.

All known active ranks were observed from mid-day Thursday 10th September to the early hours of Sunday 13th September 2020. At the time of the surveys social distancing was in place but the 22:00 curfew was introduced after these surveys. Observations saw much activity at both the Strand and at Paignton ranks through to the early hours of the next mornings on all observed days.

Schools had also generally returned to full operation implying that any vehicles operating on school contracts were active on those (with perhaps some increase in numbers used due to social distancing).

All hours were observed at all ranks and a screening method applied to confirm:

- 45% of observed hours were active (three or more hackney carriage movements per hour)
- 12% of hours saw light usage
- 44% saw no hackney carriage or passenger activity at all

The observations totalled 13,213 different records of which 70% were vehicle arrivals or departures. 90.5% of these were local Torbay hackney carriage vehicles. 7% were private cars, 1% private hire vehicles, 1% goods vehicles and 0.5% emergency vehicles suggesting generally good compliance with rank regulations in the area.

Poor compliance equated to locations least used by hackney carriages or their passengers. Private car abuse that might impact on hackney carriage operation occurred at Union Street and Victoria Parade although in general this occurred mainly when hackney carriages and passengers were not generally there.

Estimated weekly passenger numbers for this survey appear to be 21% down on the previous survey. This compares to the change between the past two surveys which both saw 18% growth between surveys in average passenger levels at ranks. Resulting patronage remained above the levels observed in 2008 and 2011.

The picture was not all decline, with both the Strand and Cary Parade ranks seeing actual passenger growth. Strongest decline was at the pure station rank in Torquay, whereas Paignton (being a mixed source rank) saw a 25% reduction. Overall, the Strand rank is now much more dominant, seeing 43% of all passengers in this survey. The next two ranks, in Paignton and Brixham, saw 15% and 12% respectively. There was no change in the number of active ranks although the three least used demonstrated continued decline that in two cases almost means they are no longer effectively active.

The general picture of active times at ranks was very similar to the previous survey despite the presence of the impacts of the pandemic:

- Strand – almost 24/7/7 rank but unused mid-week early hours (5 hours) with shorter unused periods early Saturday and Sunday
- Victoria Parade – longer unused periods generally from early hours
- Union Street – shopping period only
- Post Office Roundabout – slightly extended shopping period only
- Brixham – daytime activity only
- Paignton – unused in early hours but this period much shorter at weekends, clearly a local rank far from dependent on allied station usage
- Cary Parade – booking office vehicle waiting that passengers take advantage of
- Torwood Street – effectively unused
- Castle Circus – unused

The overall pattern of demand saw similar daytime flows across the surveyed days, with each day seeing a dip in usage from 18:00 to 19:00. The peak flow level was reduced compared to the previous survey, and the peak hour was also earlier. The most significant reductions in passengers covered the night time economy in the early hours of Sunday morning. Overall, for this survey it was considered that the peak impact was actually more focussed albeit lower in actual number.

Average passenger flows per hour compared to the previous survey were only 4% reduced. Just two hours early Friday and two hours early Saturday saw no passengers across the area.

The survey found the Strand the main contributor to passengers, but with strong input also from the Paignton rank. Both Paignton and Brixham ranks gained from shopping and entertainment sources whilst Paignton saw some limited input from the rail passenger flows. Union Street and the Post Office were pure shopping ranks.

Unmet demand extent

21% of all observed hours had some observed passenger delay. Of these 44% saw that average passenger delay (APD) level one minute or more (shared over all travelling passengers in that hour). All but one of the six hours with APD over eight minutes were a result of low passenger flows (thin demand that should not be counted towards the significance of unmet demand). Survey area and period APD was 37 seconds.

Unmet demand appeared in varying ways at most ranks and was spread over different times and days and not in any systematic manner. Further discussion of the significance of this unmet demand is provided below.

Fleet activity

Over the two days when fleet activity was reviewed, 53% of the available hackney carriage fleet was observed. Just 16% were seen at more than one location. 39% of the fleet were only seen passing along Cary Parade, 17% only in Brixham, 14% only in Paignton and a similar 14% only at Union Street. Some vehicles were seen at more than one location, but in general this survey appeared to suggest a focus of specific vehicles on particular ranks only.

The overall statistics suggest plenty of vehicles were available but not observed during our survey. This suggests no shortage of vehicles. However, other evidence suggests many may not have been available given reduced driver numbers working (see below).

WAV service levels

7% of all vehicles observed at ranks appeared to be WAV style, higher than the 3% in the fleet. 13 people were observed accessing hackney carriages at ranks in wheel chairs. These were spread across the ranks with the main usage at Paignton Station rank. Those with other disabilities also saw the highest level of usage at this rank. The seasonal observations also saw the highest level of visible but non wheel chair users at Paignton station, but there were no wheel chair users observed in that set of observations.

Off season demand
The three busiest ranks identified in the September survey were also observed for the busiest expected day (Saturday) in late October. The impact of the 22:00 curfew is clear and most pronounced at the Strand (although some passenger flows did continue later here).

Strand passenger flows were 29% of those in September for similar periods (including the curfew hours), 56% at Brixham and 66% at Paignton. At the Strand, only the pre-curfew hour saw passenger delay. The other two sites saw delay in more hours and less impact from the curfew. The impact of both seasonal reductions and the curfew almost certainly implies the October flow levels are lower than would have typically been the case pre-pandemic.

However, despite this, unmet demand was present and not just resulting from the curfew impact but from stronger reductions in vehicle activity than in passenger demand reduction, i.e. there were less vehicles working than you might expect for the passenger levels even taking the reduced patronage into account. The principal issues were at Paignton and Brixham, the two locations where the size of fleet actually available is reduced but not by the limit policy but other matters, principally out of the control of the licensing authority.

On street public views
COVID-secure interview techniques reduced the level of response possible even though some extra resource had been allowed to try to mitigate for longer interview times. 68% of the target number were obtained, with most difficulty in the two smaller locations of Paignton and Brixham. 75% of the total said they were local.

The sample was compared to the census and it was found there had been a larger proportion of men and mid-age groups interviewed. This may favour more traditional hackney carriage usage in the responses.

The proportion of respondents having made a recent trip by licensed vehicle was similar to the previous survey at 37%. However, the proportion saying they had used both types of vehicle and the proportion using only private hire had both increased (to 30% and 44% of those having made a recent trip) with the corresponding reduction in those saying they had travelled only by hackney carriage.

In terms of frequency of usage 45% never used licensed vehicles but the overall level of trips per month at 1.7 was increased from the 1.3 in the last survey. However, a slightly increased percentage of this total used hackney carriages at 58%. Figures overall were highest in Brixham and Paignton with a much closer match between hackney carriage usage and the total usage of licensed vehicles in these two towns. Private hire was principally important in Torquay.

Respondents appeared to suggest an increase in usage of licensed vehicles both from ranks and from hailing with the increase continuing from the last two surveys but remaining on-trend. The estimate of 50% of trips by licensed vehicle is similar to that from the frequency information. Understanding this in context of the apparent reduction in recent trips being only by hackney carriage suggests more hackney carriages are being used more interchangeably with private hire whilst people will take a vehicle if they see one at a rank.

The level of competition in the booked market appears to have reduced since the last survey. Reduction in the number of quotes of the top company suggests the three main companies have all upped their game, one of which is the hackney carriage operator.

Consistently, more people could not remember when they last used a hackney carriage in Torquay than in Paignton or Brixham. (62% to 41%), the overall proportion having risen from 47% in the last survey to 58% now. However, the proportion not remembering seeing a hackney carriage in the area remained consistent at 9%, surprising given the introduction of the livery.

The level of ranks known about but not used had risen from 43% in the last survey to 59% now. Nearly half only named a single rank, although the number of names given was high including many unused locations, albeit only by very small numbers. This time the most quoted rank was Torquay Station followed closely by the Strand. The previous top rank quoted, Paignton, reduced to 6% of responses this time. This suggests plenty of need to better advertise ranks even though they are well-marked and locations are available on the internet readily.

Views of the last journey taken are generally very good although there were different views with slightly lower opinions of the Brixham service compared to that in Paignton with Torquay getting the best overall scores across all categories. More usage might come from lower fares with a slight reference to better drivers increasing usage. Views appeared to suggest improving standards increasing appreciation of the service.

The question regarding disability suggests increased need at this time compared to the previous survey, although the need now appeared to be for a wider range of vehicles and not just pure WAV style.

Latent demand levels had reduced.

Covid Responses
A high proportion of respondents provided their views about changed usage of licensed vehicles arising from the pandemic. 96% said they used them about the same, with 3% saying they used private hire less and 1% hackney carriage less. None said usage had increased. When asked about future usage the level saying usage would be the same was exactly the same, with the remaining 2% saying they would use private hire more and 1% hackney carriage more and a further 1% not responding.

In terms of matters that they felt important, mask wearing by drivers and passengers and cleaning were both felt essential. Screens were important but drivers opening and closing doors was not. Overall it was felt essential passengers were certain the vehicle had been cleaned before they used it.

Key stakeholder views
Due to the pandemic it proved hard to obtain many responses from key stakeholders most of whom were focussing on customer service and doing their best to react positively to the situation, or were closed. One bed and breakfast location was appreciative of the service provided and made it clear a good licensed vehicle service was essential to their customers' experience of the area. They tended to encourage their customers to book and had high levels of confidence about the COVID security of the service.

Other responses came from one pub, a church and three restaurants. All were positive both about the service and COVID security of the service provided. Most said their customers used booked vehicles. Some shortages were noted but mainly at busy times.

Only one disability group responded. They told us they had sought to use licensed vehicles some while ago but had ended up using alternative options.

Trade views
A very strong 29% response rate was obtained for the on-line driver survey. No evidence was found of any duplication. 50% of response was from private hire and 39% hackney carriage, with the remainder being 8% who did not currently drive and 3% that drove both kinds of vehicle.

Levels of experience were high, with the average being 13 years but the maximum 52 years. Hackney carriage drivers tended to have more experience on average (13 years compared to 9) and for length of service (52 years compared to 37).

For the full sample, 37% said their normal work saw them obtain work from immediate hire from ranks, 31% from immediate bookings and 22% advanced hire (with 4% chauffer or corporate and 6% not driving).

Overall most worked five days, but the average number of days was marginally higher for hackney carriage respondents. Only hackney carriages claimed to have worked seven days (10% said this). Average weekly hours were 40 for hackney carriage, 34 for private hire and 35 on average.

The main reason given for choosing when to work was preference. 11% admitted changes had come from the pandemic issue. 5% said they worked to avoid disruptive passengers with a further 5% avoiding busy traffic.

A very high 76% drove their own vehicle with just 27% saying they shared a vehicle. 86% said they accepted pre-bookings, a value similar between hackney carriage and private hire respondents. 53% of bookings were via an office, 29% by phone, 7% by phone or email and 11% a mix of phone, email, contracts and apps.

The trade had their own names for the three main Torquay ranks. Top rank used was the Strand followed by Union Square, Victoria Parade, GPO roundabout, Brixham, Paignton, Cary Parade, Torquay Station with the remainder either general areas or the lesser serviced ranks.

In terms of getting fares, 29% said mainly rank, 50% mainly telephone and 19% school contracts. However, only one respondent said they were totally dependent on rank work. There were two hackney carriage respondents saying they were wholly dependent on school contracts (suggesting these vehicles might not therefore be publicly available). Hailing was important to most hackney carriages but only provided a small proportion of their fares.

94% answered the question about if the limit policy remained correct. Of these, 91% agreed. This was true for both hackney carriage and private hire drivers. Reasons the limit benefitted included encouraging quality (46%), 35% preventing congestion at ranks and 10% that it provided known drivers to the public. 8% said the main benefit was to the trade but that this fed back to the public getting a good service.

Of those disagreeing with the limit, two had summer plates with the remainder private hire (who said if there was significant unmet demand it should signal the end of the limit policy). There were two hackney carriage respondents that said the same, giving 5% of the respondents suggesting this option (although perversely the hackney carriage respondents also gave good reasons the limit should be retained).

56% said that unmet demand identified as significant should be eliminated by issuing enough plates to meet this. 39% gave various other responses the strongest of which was that there was insufficient current work. Six suggested making the problem areas known would allow the trade to react and remove the issues.

We were made aware that at the time of the survey there were many plates issued but not in use.

Covid impacts
34% were aware of drivers having given up working due to the pandemic. 5% of those that had shared vehicles had stopped doing so during the pandemic. In terms of change since the same period the previous year, one said the exact period was 10% busier. The largest proportion said demand had reduced, on average by 44%. Average bookings were down 39%. However, across the responses there was a wide range of change experienced. There were four private hire saying they had only begun work in 2020.

One comment said people had used their services due to fears of the COVID security of public transport. At least five said they had chosen not to work during the pandemic. One said their vehicle renter had stopped working. Three had moved from rank work to taking bookings via operators. Three planned to retire and at least five others openly admitted they were considering that they might change their future careers.

As is normal several were keen to obtain their own plates rather than rent. Another (recent) driver said they had found times challenging but that they were looking forward to developing their business.

Discussion with a trade representative confirmed the bulk of the facts outlined above. They confirmed the first lockdown saw many rented plates unused. A company representative confirmed some hackney carriages had joined their circuit, as had several smaller private hire operators.

Summary

Overall, it is clear a lot of the trade are still considering their options, but many retain positive outlooks including some who strongly believe providing plates for rent is essential to the industry. The limit retains a strong support level across the trade.

Formal evaluation of significance of unmet demand

Use of the industry standard index of significance of unmet demand for the full main data set shows that all elements of the index apart from the latent demand factor and the peak factor have worsened in terms of identifying higher levels of unmet demand. The full data set has unmet demand that in terms of the ISUD tool is beyond 80 and therefore significant. This remains true when the two ranks with additional limits not under the control of the authority are removed, although the level reduces by around a third.

The tests considering the two locations with additional permit requirements and therefore restricted fleets able to provide service show that these two locations are strongly affected by this restraint. When the other rank that has reasons for having a smaller fleet servicing it is considering, Brixham, this also is shown to have severe impacts. When the Torquay ranks are considered separately, with a much larger fleet available, the level of unmet demand is reduced and is not significant.

Further discussion is provided in the synthesis section below drawing this result in with other evidence.

Potential to reduce plate numbers

The high levels of unmet demand mean that any consideration of reduction of the fleet size are not appropriate at this time. Our review of previous studies and trends suggests that without the pandemic there may have been a need for additional plates such that this option was always likely to be much less potentially possible than perceived.

Seasonal Plate Assessment

The following was identified about the seasonal plates:

- None were the sole vehicle owned by the seasonal plate owner
- Most were used by a renting driver
- a third took them up due to the lower price
- one took the plate up but really wanted a full time plate
- two thirds were completely essential to the business model of the operation they were part of
- when used the vehicles focussed on rank and hailing

- one owner (who also had a further hackney carriage) lived abroad in the off-season
- half said they would take up a full time plate instead although one of these was concerned about the impact of the extra cost
- one owner had originally had two plates but did not renew one knowing their driver was unable to work that year but had sought to renew the next year but was unable to do so
- issues were mentioned about discrimination against the seasonal plates
- there had been issues related to the livery policy given that some of the plates transfer to private hire for the remainder of the year
- the plates do appear to make a significant contribution to meeting higher seasonal demand
- at least one further plate had remain unused due to the pandemic this year
- only one seasonal plate was observed in our plate observations

Impact of COVID-19

The main rank observations were undertaken at a time when there was an air of moving back to normality. Overall the timing was fortuitous and saw the fleet operating at one of the busiest times during 2020, a good test for unmet demand and how the fleet had responded. There were, however, clear impacts on the supply side, particularly affecting drivers but in some case seeing owners not having vehicles attached to plates they had renewed.

Synthesis

Torbay retains a vibrant hackney carriage and private hire fleet which at the time of the survey appeared to have weathered the first pandemic wave and recovery fairly well. The industry has a complex structure that give flexibility for members of the trade to operate in the way that suits them best. Whilst it was clear that some parts of the market for hackney carriages had been impacted by the pandemic (particularly shown by the Torquay station site that only gets demand from the rail source), some ranks and times had seen busier times in the September than in the previous survey. However, overall demand for vehicles from ranks appeared to be down by a fifth against a previous picture of survey on survey increased demand (itself counter to the general national picture during the last two survey intervals).

People interviewed about their usage of the service were generally well satisfied with the service provided and evidence was that latent demand had gone down since the last survey. Even though the number of WAV style hackney carriages was reduced, there was evidence that those available focussed on the ranks and a good number of people were observed accessing vehicles using wheel chairs. A much higher proportion were observed with other visible disabilities, with some evidence that more people now needed non WAV style vehicles to meet their needs. It is possible that the changes in the fleet observed may have reacted partly to customer demand.

There was evidence from the public interviews that usage of licensed vehicles and the hackney carriage element within them remained strong and perhaps increasing. The bookings market appeared to have become much more focussed on the larger players but the hackney carriage radio network also appeared to have gained from this since the last survey. For example, we noted a small but clear increase in walk-in hirings at the rank near to the hackney carriage booking office. There was some reference from the trade that many smaller operators had shifted to the large operators as a result of the pandemic, with hackney carriages also seeing some move to working for the booking circuits to overcome some of the reductions of use of ranks by passengers.

The three areas of Torbay retain clear different operating practices and characters. Whilst this provides customer benefit in terms of people having more chance of knowing their driver, there are also issues that it reduces the pool of available vehicles to serve that demand. There was some evidence found that more of the Brixham cohort of drivers had not felt able to work than in other parts of the licensing area.

All things being equal reduced demand nearly always leads to improved level of service using the industry standard index of significance of unmet demand (ISUD). However, the ISUD tool this time suggests that the level of service to the public during this survey is much worse than in the previous survey. Part of this relates to some vehicles having moved away from servicing ranks but there is also strong evidence that all things are not equal.

The strength of the industry in having several different modus operandi is also a weakness in that the level of commitment and need between the various operating options differs strongly. Those who own and drive vehicles have the commitment of the vehicle costs encouraging them to work.

Those that rent have a much easier choice if they feel they need to keep safe by not working – simply stop renting, which costs nothing. For many in the early days of the pandemic, and since, guidance suggested they should desist from working as much as possible (with some very strongly advised they needed to shield either themselves or for those they lived with). It appears that many of the rented vehicles have not been available for service as many drivers felt unsafe or concerned and chose not to drive. For some owners this went further with them not having vehicles attached to the plates they had renewed.

Although there is no benchmark from previous surveys, this survey saw no more than 53% of the available vehicles operating during our sample of fleet activity. This survey also demonstrated that the two smaller areas had sub-fleets some of which appeared to have been more reduced by pandemic issues than in the larger Torquay area. Use of the ISUD tool on an area basis confirmed that the two smaller areas had ended up with much more significantly worse service than the much larger (and therefore more flexible) Torquay operation.

In Brixham we found that the approximately 13% of demand was serviced by between 11% and at most a fifth of the total vehicle fleet for the whole area (the latter value assuming all vehicles were active which we know is not correct). This led to each vehicle seeing between four and eight fares per day. For Paignton, 8-16% of the fleet was matched to 17% of the overall demand, with between 7 and 14 trips per day. For Torquay 34-64% of the fleet met 70% of demand but again typifying 7-14 trips per vehicle per day. The overall trips per vehicle per day for this survey was 6.8 whereas the previous survey had seen 9.3 (about a 25% reduction).

The overall fleet statistics show that the hackney carriage fleet has on paper remained available compared to the private hire side where vehicle numbers have fallen. However, as already noted, the value attached to the hackney carriage plate and their scarcity encourage retention whereas on the private hire side direct market forces act more promptly. What these statistics cannot show is people choosing not to use these assets, on either side of the equation, i.e. any available vehicle needs a driver, or drivers, to be able to operate. Nor are there any legal methods that people can be forced to provide the service for which they have licensed the tools from the Council.

Further, the seasonal plate system has proved valuable over the years but also has its issues. It adds flexibility overall and is strongly valued by those with such plates. They clearly provide an essential increase in the Summer. However, it also reduces flexibility in off-season periods where more plates might be required, such as October half-term or Christmas which may become more important while less people remain able to holiday abroad and more need to take advantage of shorter term, but closer to home, breaks. The difference between the summer peak and winter troughs are also now much less than they have been. Combined these matters mean that the 'peak' vehicle requirement periods are now more spread through a year then when the seasonal plates were first introduced.

Conclusion

This survey finds that despite the strictures of the pandemic, Torbay retains a vital and viable hackney carriage demand and trade servicing this. It is clear that as is usual, the corporate trade has worked together to ensure the best possible meeting of public need at this time. However, those involved are all individuals who also have to make their own personal choices which have become much more stark particularly at the start of the pandemic. For the first few months the key decision was personal safety of those working in the industry.

As time moves on, thoughts are moving to financial and economic concerns. The key thing a regulator can provide at such times is confidence and stability. This would tend towards maintenance of the status quo where possible, but alongside removal of any unnecessary complications that are in the gift of the licensing authority to deal with. Several made comment that another lockdown such as has now happened, might be the tipping point for them having to think more carefully about their future. It might therefore be valid for the all-driver survey and particularly the future thinking elements of this, be undertaken more regularly in some manner.

On the basis of the evidence gathered in this unmet taxi demand survey for Torbay Council, our key conclusion is that there is evidence that the unmet demand for the services of hackney carriages either patent or latent that has been observed is significant at this point in time in the Torbay licensing area. This has several repercussions:

- any thought about reducing plate numbers is inappropriate
- thought is needed about how levels of service deteriorated and if there is a clear way to improve them
- care is needed to ensure all available vehicles and drivers feel able to service future demand

- specifically any trend towards holding plates without potentially active vehicles attached should be resisted and dealt with

It would be normal in such situations for a calculation to be undertaken to identify the number of plates that might be needed to reduce the observed unmet demand beneath the cut-off level of 80, or to zero. However, this requires the assumption about vehicle usage being equal across the fleet to be correct, which in the current situation is far from certain, and in fact evidence suggests the principal reason for the strength of the unmet demand is a shortage of drivers, not vehicles. Further, public evidence shows good levels of satisfaction and reduced latent demand that suggests public expectation was generally being met with some acknowledgment that service might not be normal at this time.

However, what is absolutely clear at this time is that there is no evidence for reducing plate numbers and that any reduction in matters that might hinder ability of the fleet to respond to higher demand would be welcomed. Several hackney carriages have moved towards servicing contract demand whilst others have moved towards servicing booked demand although both could return to service peaks observed as long as they were outside the times of need of their other commitments (that bring more guaranteed income).

This may be particularly true as at the present time the likelihood of higher tourism in 2021 and 2022 locally while international travel remains suppressed is very high. This may also lead to extension of the season beyond the six month period covered by the seasonal plates meaning their value as full time plates may be greater than previously.

Given the high level of unmet demand observed in the survey, notwithstanding the major reason for this being reduced driver numbers reducing active plates significantly, the opportunity should be taken to release the unused plate. The main survey included the six seasonal plates so conversion of these to full year would not have any impact on the main survey result as they were able to be active. The unissued seasonal plate should also be reissued.

However, allowing them the seasonal plates to be available full year would add to the flexibility of the fleet at other times of pressure (e.g. October half term, Christmas, Easter if before the seasonal plates are in place) and any disbenefit would only relate to the dilution of demand in those six months of lower demand in general, which should only be marginal.

The key is that, given the result of what was in essence a test of the impact of a major unforeseen pandemic, that the fleet needs to have the maximum flexibility it can over a full year to allow it to react to any demand increases or reductions whenever they occur.

It must be reiterated that the present limit provides stability and vehicle retention in the hackney carriage element of the licensed vehicle fleet. On the private hire side, full allowance of market forces has meant vehicle numbers have reduced (and the cost of return to the market of such plates is much greater than if a vehicle is simply stood down). This confirms that retaining the limit is acting in the public interest, ensuring a higher level of vehicle availability than might have been the case had full market forces been able to bear on the hackney carriage element.

The balance between adding flexibility and allowing too strong and negative an influence of full market forces is merging the seasonal plates into the main set as soon as practicable.

This will lead to two plates being available. Given the continual need to move to more climate sensitive vehicles it would be prudent to consider conditions requiring such new plates to be zero emission vehicles. With the possibility that more plates may become available in the next renewal window, thought is also needed to make it clear that any non-renewed plates will also fall into the new=zero emission category once reasonable time has been allowed for failure to renew.

12 Recommendations

For the reasons explained above:

- There is no justification for reducing plate numbers and this thought should be discarded
- At the point of renewing plates this Spring the seasonal plates should be offered as full year plates but only to those who had held the seasonal plates in the first instance
- Any unissued ex-seasonal and the one full time plate not issued should be offered but a clear procedure for allocation be agreed
- Consideration should be given to these new plates to be zero emission vehicles
- The focus of issue of these new plates should be to those willing to not just own but also drive these vehicles at this time
- Consideration should be given to ensuring any other hackney carriage plates not renewed to also be re-issued only as zero emission vehicles
- Discussion be held with the rail company to encourage more flexibility in the permit system
- Potential thought of establishing within the trade a more regular all-trade feedback system to keep interest alive in regular understanding of match of driver and public needs
- Discussion be held with the trade to encourage particularly drivers and also those that rent vehicles to keep the Council informed when they expect not to be working
- A review of the expectations of drivers and owners as the new future starts to emerge so that the Council can develop appropriate policies that in this new future encourage a good public benefit from the hackney carriage and private hire servicing the public in this area
- A distinct discouragement for any owner to be tempted to not keep a vehicle attached to their plate, principally on the hackney carriage side but also to a more limited degree on the private hire side
- Review will be needed to understand the match between supply and demand as the night time economy is restored – the date of which cannot yet be determined. It may be necessary for the licensing authority to review with hackney carriage drivers and operators their expected level of operation once such restoration is announced (similar to schools planning their actions once they know they will reopen).
- We would recommend that a fresh comprehensive demand survey be undertaken with rank work in May 2023 and requirement for results within June to allow any changes to plate numbers to be made in advance of the Summer peak in 2023

- Any such survey must include review of the industry structure and plate activity levels to ensure full appreciation of how the industry is working and has changed against this study is possible.

Appendix 1 – Industry statistics

Torbay

Control of numbers began 1968 (Source: DfT 2004)

	hcv	phv	lv total	hcd	phd	dd	total d		Ops	% hcv WAV	% phv WAV
1994D	162		162	275				**1994D**			
1997D	162	86	248	305	82		387	**1997D**		13	
1999D	162	95	257	350	100		450	**1999D**	98	7	
2001D	162	*153*	315	346	*170*		516	**2001D**	*141*	7	
2004D	162	210	372	312	239		551	**2004D**	183	9	
2005D	162	210	372	312	239		551	**2005D**	183	9	
2007D	162	300	462	*385*	262		647	**2007D**	283	17	
2009D	162	352	514	352	227		579	**2009D**	345	4	
2010N	162	326	488	*176*	*114*	*278*	*568*	**2010N**	*311*	2	5
2011D	162	298	460			556	556	**2011D**	277	7	6
2012N	162	315	477	-	-	*563*	563	**2012C**	*305*	4	*7*
2013D	162	325	487			570	570	**2013D**	332	8	6
2014N	162	308	470	-	-	*540*	540	**2014N**	*284*	6	6
2015D	162	263	425			510	510	**2015D**	235	8	7
2017D	162	313	475			532	532	**2017D**	317	7	8
2018D	162	313	475			532	532	**2018D**	317	9	7
2018C	162	281	443			550	550	**2018C**	248	7	8
2019D	161	291	452			549	549	**2019D**	296	6	7
2020D	161	338	499			571	571	**2020D**	343	4	6
2020S	161	302	463			546	546	**2020S**	307	3	5

Note: There are 7 extra seasonal hc licences issued from start of May to end of September (excluded from above), six on issue at time of survey

Key:

- **D** DfT formal statistics
- **N** National private hire statistics
- **C** Council provided information
- **S** Council provided information for period covering rank survey, i.e. active fleets at that point
- **Ops** Operators (non-standard for this authority)

Appendix 2 – List of ranks

List as per Torbay Web Site, 11 September 2020.

(same as per list from previous report, no reported changes)

Torquay

- Lymington Road (Assembly Rooms) (1 space, 24 hr)
- Cary Parade (8 spaces, 24 hr)
- Castle Circus (3 spaces, 24 hr)
- Chestnut Avenue (3 spaces, 24 hr) (Riviera Centre)
- Lymington Road (Coach Station) (6 spaces, 24 hr)
- GPO Roundabout (3 spaces, 24 hr)
- Princess Theatre (3 spaces, 18:00 to 08:00)
- The Strand (3 spaces, 24 hr)
- The Strand Bus Bays - Seaward Side (10 spaces, 00:00 to 06:00)
- Torwood Street (4 spaces, 18:00 to 06:00)
- Lymington Road (Town Hall Car Park) (3 spaces, 24 hr)
- Union Street (10 spaces, 24 hr)
- Victoria Parade (7 spaces, 24 hr)

Paignton

- Palace Avenue (2 spaces, 24 hr) (there, but unused)
- Torbay Road (3 spaces, 18:00 to 08:00) (appears gone)
- Hyde Road (2 spaces, 18:00 to 08:00, formally gone, still has sign)
- Dartmouth Road (formally gone, actually gone, PH office near)

Brixham

- Bank Lane (7 spaces, 24 hr)

The above list excludes the private ranks at:

Torquay Rail Station

Paignton Rail Station

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

Key consultee	Response
Supermarkets	
Waitrose Torquay	U
Asda Torquay	U
Iceland Torquay	U
Sainsburys Torquay	U
Lidl Torquay	U
Express Babbacombe Road Torquay	U
Tesco Metro, central Torquay	U
Iceland Paignton	U
Aldi Paignton	U
Sainsburys Paignton	U
Morrisons Paignton	U
Asda Paignton	U
Co-op Paignton	U
Lidl, Paignton	U
Tesco Express, Brixham	U
Co-op Food Store Fore Street, Brixham	U
Spar Castor Road, Brixham	U
Costcutter, Summercourt Way	U
Sainsburys Local, Brixham	U
Hotels	
Burleigh House, Torquay	E
Briarfields Hotel, Torquay	A
TLH Carlton Hotel, Torquay	U
The Heritage Hotel, Torquay	E
Yardley Manor Hotel, Torquay	E
Headland Hotel, Torquay	A
Grand Hotel, Torquay	E
Osborne Hotel, Torquay	E
Imperial Hotel, Torquay	E
25 Boutique B and B, Torquay	Y
Restaurants / Cafes	
Memories Bistro, Torquay	Gone?
Oriental Touch, Torquay	U
Meat 59, Torquay	E
Bistro Pierre, Torquay	Y
On The Rocks, Torquay	E
Pier Point Restaurant and Bar, Torquay	E
Amici, Torquay	U
Las Iguanas, Torquay	E
Drum Inn, Torquay	U

Entertainment	
Babbacombe Theatre	E
The Little Theatre	U
Princess Theatre	U
Waves Leisure Pool, Torquay	U
Aztec Spa, Torquay	U
Torquay Squash and Leisure	E
Kents Cavern	E
Babbacombe Model Village	A
Torquay Museum	E
Bygones, Torquay	U
Torquay Central Cinema	U
Public Houses	
Devon Dumpling, Torquay	E
The Drum Inn, Torquay	U
Bull and Bush, Torquay	E
The Cider Press, Torquay	U
Hole in the Wall, Torquay	E
Mickey Finns, Torquay	U
Seamus O'Donnels, Torquay	U
Apple and Parrot, Torquay	E
The Kents, Torquay	A
Revolution, Torquay	U
Alberts Bar, Torquay	U
Cinnabar, Torquay	U
Green Ginger, Torquay	U
Yates, Torquay	E
Night Clubs	
EJ's Bar, Torquay	Gone?
The Stage Door, Torquay	U
The Foundry, Torquay	E
Decades Nightclub, Torquay	U
Abanico Salsa, Riviera Hotel, Torquay	E
Coast Bar and night club, Torquay	U
Play Nightclub, Torquay	Gone?
Park Lane, Torquay	U
Disability Groups	
ACE Torbay	E
Torbay Voice	E
Torbay Deaf Club	U
DS Torbay	E
Devon Alzheimers	A

Key:
U – no means to contact due to pandemic changed communication policy or lack of contact email or contact form (no phones were being answered)
E – email sent but no response received despite chasing
A – email sent and acknowledged but no other response
R – refusal, due to national policy on not providing local feedback