

Dear Councillor

I am writing to you as a director of PCR Streamline which as you know is the only taxi company locally with offices and licenced cars in all 3 zones of the BCP area.

I have been a part of the Consultation on Taxi and Private Hire policy during the past few months and am mostly happy with the draft which has been produced. However, section 16 of this policy was not part of the consultation. The reasoning behind this was the the licencing committee were asked to choose from three options and the taxi trade expected the committee to choose the option which regulated Christchurch in the same successful way that Bournemouth and Poole have been regulated in the past. In fact, in a survey carried out by The Professional Driver magazine in 2016, Bournemouth was judged as having one of the best taxi services in the country. This was attributed to the area having two large taxi companies who compete with each other so improving service levels and quality of vehicles in order to attract more customers.

This could be put at risk if the committee's suggestions in section 16 of the policy are carried out. The committee seem to have ignored the £24,000 survey undertaken on unmet needs and its conclusions. I have had a lengthy conversation with Ian McDonald who conducted the survey, and his recommendation was that Christchurch should come into line with Bournemouth and Poole and that limited new wheelchair plates be issued as required. The vast majority of wheelchair work is carried out by private hire vehicles, booked by phone or by app as needed. It is rare for wheelchair users to hail a taxi in the street or pick one up at a rank.

At the time of the meeting PRC Streamline had four wheelchair vehicles parked outside the Poole office, two not yet plated. These were purchased in response to an increasing requirement perceived at the beginning of this year, but no longer required. Whilst we appreciate this is unusual times, we have responded to this need without the necessity for these vehicles to be licenced taxis.

Ian gave examples of Guildford, Harrogate and Milton Keynes where they had re introduced limits on taxi numbers after deregulation as too many cars in the city centres were causing congestion and increasing air pollution. In all these cities all new plates were limited in number and to wheelchair vehicles.

The consequences of this policy change in section 16 will be a large increase in cars on the roads of the BCP area leading to less work per car so affecting the livelihoods of the many drivers. In addition, it may lead to lower standards of service and car quality. Congestion on the taxi ranks is also likely.

The BCP area has a free market in private hire vehicles as there is no limit to the numbers. Taxi numbers are limited but already exceed the provision on the hackney ranks in all three zones of the BCP area particularly in Christchurch.

Currently many of the taxi drivers in Christchurch work as private hire cars in Poole, Bournemouth and Wimborne through United and PRC Streamline as there is insufficient taxi work in Christchurch

I would be interested to know on what evidence the proposals were made and what their aims are? How is the committee intending to measure the success of this policy and why, in this time of climate emergency, has no provision been made for electric cars?

The Taxi trade would like to suggest that the policy is passed without section 16. Section 16 will not affect the ongoing rule book for taxis and private hire vehicles. Section 16 and the taxi drivers in the BPC area deserve an in-depth evidence-based consultation between all parties as soon as possible.

Any major change such as this needs careful management to ensure not only the high quality of service, we currently enjoy is maintained without disruption but also that the income and livelihoods of the drivers is protected

Glive Shotler

Dear Judy Butt

The new Hackney Carriage and Private Hire Vehicle Policy, is a missed opportunity, with regard to the BCP Councils 'Environment Emergency' statement.

This new policy will discourage the taxi and private hire trade from investing in more expensive but cleaner hybrid and electric vehicles.

All Taxis and p.h. vehicles in the BCP borough will have a limited life of only 10yrs. ["Section 11" Renewal of license]

Hybrids are up to 8 times less polluting than the new Euro 6 emission compliant diesels.

New Euro 6 emissions NOx 80mg/Km.
Toyota prius hybrid NOx 10mg/Km.
and electric vehicles zero emissions

If hybrid and electric vehicles could have a working life of 15+ years this would motivate the trade to invest in these more expensive vehicles.

Barnmouth Taxi
proprietor.

Bournemouth Taxis Ranks Association (Formed 2016) **PROFESSIONAL – DIVERSE – FAIRNESS – RESPECT**

Chairman: Barry Jones

Deputy Chairman: Mountassir Talbi

Treasurer: Zaim Gharnaout

Committee: Mohammed Miah, Ahmed Mohammed

Date:

**Nananka Randle,
Licensing Manager,
BCP Council,
Bournemouth Town Hall**

Dear Nananka Randall,

I have been instructed by our Members to put forward their comments as regards the proposed consultation for Hackney Carriage and Private Hire.

We feel that no proposals or decisions should be made during this Pandemic period which would further adversely affect Members earnings and working conditions, which have already taken a serious downturn due to the economic consequences of Covid – 19. We feel this draft shows a complete lack of understanding by BCP Council of the knowledge of the taxi trade now, which has been heavily affected by the degraded work conditions.

These include unfair competition from Poole, Christchurch and New Forest drivers with their more relaxed rules on tests for Hackney and PH vehicles and the large number of Uber cars from areas such as Southampton, Eastleigh, Portsmouth and New Forest operating in Bournemouth and therefore showing quite clearly on the Uber App when as we understand they have not been given a licence to operate in the Bournemouth area with Licensing unaware of who is driving these vehicles, whilst they are aware of who is driving all Bournemouth plated Hackneys and PH cars.

In addition we also have to contend with a large number of private cars operating totally unimpeded inside the gates on illegal Facebook Lifts and parked on what used to be a Hackney Rank. These lifts are quoting prices for journeys far below Bournemouth Hackney and PH meter rates without the expenditure and restrictions that legal drivers have to pay.

As previously reported by the BBC on 7th November 2018 one closed group of Facebook Lifts had over 7,000 members which at that date was the equivalent of a third of the town's student population. Drivers of this illegal industry would have no background checks or training, pay no fees for a License to operate and are driving an uninsured vehicle if accepting a form of payment. At that time Bournemouth Borough Council stated it was aware and taking the situation 'very seriously', so serious it seems that as far as we know the action taken consisted of either one or two nights of spot checks by Licensing and Police Officers in the Horseshoe Common area for one weekend only to date.

Facebook lifts are still operating illegally unabated in areas Taxis and PH cars are prohibited.

Dorset and Hampshire Police have a target to reduce crime and make both Counties a safer place to live, we believe allowing Uber and other Taxis from surrounding areas with more relaxed rules is going against what the Police are trying to achieve. We need to make sure our customers are safe and feel that these new proposals do not support this and there will be great concern for the safety of young students and the general public if these proposals go ahead as planned.

All Hackney carriages have undergone the awareness course regarding sex trafficking and how to report such activity, other vehicles/drivers not educated in this serious issue would be a dangerous lowering of standards.

Our PROPOSALS are listed below:

- 1. Keep the yellow colour (Jamaican Yellow) with the white reflective side stripe which has become accepted and liked by the general public as a recognisable safe means of transport. If yellow is good enough for size of a city like New York USA then its good enough for Bournemouth UK too. The proposed change of colour to white could easily cause serious situations as many car manufacturers produce a white painted car.**
- 2. Reopen the Horseshoe Common and Firvale Road ranks to service the general public better by being closer to venues especially in adverse weather conditions, in a well lit area covered by good CCTV, together with easy access to Richmond Hill with four different directions to travel available.**
- 3. Increase the number of dates for Hackney and PH tests in the Bournemouth zone.**
- 4. Re-open the gates at Dean Park Crescent and Old Christchurch Road for common sense reasons – reduction in fare costs for those travelling to Parkstone/ Poole/Hamworthy/ Winton, Wallisdown, Canford Heath, Bear Wood, Wimborne directions and avoid the Health and Safety hazards of wholly unsuitable area we were moved to, mainly on the advice of a Police Officer who has since been removed from the service.**
- 5. Restore previous layout of the Westover rank.**
- 6. Keep separate zones for Bournemouth, Christchurch and Poole Taxis.**
- 7. Do not release further restricted plates for Bournemouth until further or increased size ranks are added or at the minimum a return to the status quo.**
- 8. More support from Licensing for the legal taxi trade, and introduce more spot checks on taxi drivers and others operating illegally blatantly.**
- 9. Suspension of 10 years lifetime for taxis if it does not conform with national standards.**
- 10. To put a stay on this consultation or any implementation to be at least a minimum period of five years .**
- 11. Extra pollution and other issues to be discussed at an arranged meeting with BCP Licensing and Taxi Trade representatives in drafting a mutually agreeable future policy.**

**On behalf of BTRA Members
Barry Jones
Chairman BTRA**

Draft policies suggested by BCP Council where they enhance the professional standing of drivers and preserve the status of the trade within the unitary authority are welcomed.

1. General Points

- 1.1 It is considered that the introduction of changes that will cause operators and owners additional expenses are not appropriate during the pandemic when the future is very uncertain and revenue is considerably reduced.
- 1.2 There is no reference to COVID-19 measures in any of the documents.
- 1.3 It is respectfully requested that any new financial burden of the trade be stayed until such time as the pandemic is controlled and
- 1.4 The policy documents are revisited to provide coherent guidance on infection control to reflect the licensing office's statutory duty to protect the safety of the public and the health and safety of its drivers.

2. Points related to the Hackney Carriage and Private Hire Vehicle Policy 2020 (HCPHP) and Licensed Driver Policy 2020 (LDP)

- 2.1 Specifically 7.4 LDP states:

“the Licensing Authority will only accept certificates from Brockenhurst College, or any other agreed provider at a future date.”

This is too vague and certificates should be accepted by other providers, as making it a requirement that only certificates can only be accepted from Brockenhurst College means that the exclusivity of this arrangement is open to abuse. In that the fee for these courses could rise disproportionately and drivers should be allowed to shop around to find other acceptable providers. Moreover, BCP Council would be open to accusations of a conflict of interest as they are seemingly suggesting that, for now, they will only accept Brockenhurst College as the provider. It is noteworthy that these courses were previously free and then rose to around £1500 when run by Bournemouth and Poole College.

2.2 8.5 LDP, point 8:

“Characteristics displayed by a driver to customers and others, i.e., staff in the Licensing Team or other Council officers and their overall integrity.”

This is too vague and is open to abuse against the driver. The term has no intrinsic meaning and drivers are already subject to the “fit and proper” test and the introduction of “characteristics displayed” adds nothing to this.

2.3 8.10 LDP point 1:

“A fit and proper person” should not be violent, abusive or threatening in their behaviour even if subjected to unpleasant, confrontational or dishonest passenger behaviour.

The drivers are bound by the common law to conduct themselves correctly, but they are not going about their work to be treated in a way less favourably than in any other member of the public could reasonably expect. This term displays a very low regard for the drivers by BCP Council and does not acknowledge any general health and safety responsibility to the drivers. The drivers are not “punch bags” for society and other organisations will not tolerate unpleasant and aggressive behaviour to staff. BCP should introduce a term to protect drivers in that BCP Council will pursue prosecutions if drivers are threatened, abused (particularly when this is racially motivated) and encounter dishonest customers, who effectively are taking their income. Signage to this effect in vehicles and a robust policy of enforcement should be in place, as the Police (though sympathetic) cannot always resolve these matters.

2.4 14.1 LDP point 6:

“Not to engage in any unwanted conversation or enter into any conversation of a personal or sexual nature.”

This point conflicts with Appendix D of the HCPHP point 1:

“A CCTV system must not be used to record conversations between members of the public...”

- a) It is not clear that if such a system was in place if the conversation of the driver with the customer or customers could be recorded, but in any event the only way that point 14.1 (6) could be addressed evidentially would be by such a recording and

- b) drivers are subjected to all manner of “inappropriate” conversations by customers on a regularly basis and often have to engage with this in order to pacify a potentially difficult passenger. Such conversations could well be misinterpreted and do not reflect the driver’s true opinions,
- c) this term is open to abuse by passengers who could classify almost all conversations as “unwanted.”

2.5 In reference to 14.1 LDP (7):

“Not to.....share any personal contact details with any passengers including via any social media apps.”

It is commonplace for hackney drivers to be asked for contact details so that they may receive a private hire booking contract from a passenger and this is a legitimate practice. The drivers are self employed and this is part of their business. Obviously such contacts would have to have regard to safeguarding provisions. A hackney carriage can be privately booked for a journey and this is a contractual agreement between the driver and the customer.

2.6 14.1. LDP (11)

“Be punctual”

- a) This is not clarified in any shape or form and one customer’s punctual is another’s late or too early. Moreover, in the case of private hire bookings drivers can only attend when they arrive. All kinds of factors may delay their journey.
- b) This blanket term is very poor and should be removed, has no reasonable interpretation and is open to widespread abuse by customers and operators placing, perhaps, unreasonable expectations on drivers.

2.7 14.1 (12):

“Not to allow passengers to smoke in your vehicle.”

Passengers may surreptitiously attempt to smoke in the vehicle and the driver is placed in a very difficult position in “not allowing passengers to smoke.” BCP Council should assist drivers in enforcing such matters, with signage at ranks and marshals. In point of fact a driver may not acquiesce to a customer smoking, yet they may still do so and in order to stop this, the driver may have to call the Police to get them removed from the vehicle. The emphasis of this regulation has been disproportionally framed in such a way that the liability of any incident of smoking rests with the driver and moreover, the requirement of enforcement also rests with the driver. Both notions are intrinsically wrong.

2.8 14.1.(14):

“Transport passengers by the shortest available route (subject to any unforeseen circumstances such as any road works or congestion where it may be appropriate to take an alternative route by agreement with the passenger.)”

This has been expressed too simplistically and other regulations have done a much better job of this.

- a) The shortest route in terms of rolling distance is a straight line between two points A and B on the map. This may involve taking a number of “cut throughs” which customers do not always appreciate if
 - i) they are unfamiliar with such short cuts
 - ii) may be short of time.
 - iii) it is at night and customers may feel more at ease taking main routes rather than side roads.
 - iv) There is no differentiation between the shortest rolling route and the shortest time for the journey. These are different and the customer may wish to take a quicker, but more expensive journey.
 - v) The customer can direct the driver in the route (as long as complying with the road regulations) in all circumstances and in so doing, do so in a safe and timely manner.

- vi) Knowledge of the shortest rolling distance is only applicable to the respective boroughs in which the driver took their knowledge.
- b) Expectations of shortest rolling routes are unreasonable out of area. This could also be the case when a private hire driver covers an area from Christchurch to Poole.
- c) In relation to b) there needs to be a more nuanced approach, such as the use of SatNav and agreed private hire bookings. The meter perhaps being used to protect both the driver and customer as to what is a reasonable fare. However, there is not upper limit on a privately booked vehicle and fare. This is a contractual agreement between the driver and the customer and the meter does not need to be deployed in these instances.

2.9 14.3:

“A professional driver is expected to know the shortest route and where unsure is expected to ask the passenger when nearing the desired destination.”

This is a restating of 14.1 point 14 and is unreasonable for the reasons stated above and overlooks the following:

- a) The passenger may have no knowledge of the area and where they are going
- b) May not speak or understand English,
- c) May have a disability and
- d) May not wish to converse or assist the driver for any number of reasons.

3. Hackney Carriage and Private Hire Policy

3.1 In reference to 7.9 HCPHP of the documents:

“the vehicle must have sufficient seating capacity to carry not less than four.....passengers.”

This policy may need reviewing in light of infection control measures where the front passenger seat may be deemed out of use and should be out of use owing to the close proximity to the driver and passenger.

3.2 Policy 11.1 non-renewal of licence for vehicles 10 years old and wheelchair accessible vehicles of 15 years old.

The need for the reduction of emissions in line with the required standards and good quality vehicles is supported, but there is no reason to impose an arbitrary age limit on vehicles. The test for renewal should be meeting emission standards and roadworthiness.

3.3 In reference to 13.1 CCTV equipment the mandatory installation of CCTV equipment and sound recording is supported. This would serve to protect the public and in particular protect drivers against false and malicious accusation and safeguards the requirement of 14.1 point 6 of Driver Conduct in the draft driver licence policy.

3.4 Points 16.1 and 16.6 of HCPHP are mutually exclusive.

“ An ‘Unmet Needs’ survey was undertaken on behalf of the Licensing Authority in January 2020, the survey concluded that there is no unmet need in any of the three licensed zones within the BCP area.”

WITH

“It is proposed to remove all restrictions on numbers of Hackney Carriage Vehicle licenses by the next review of this policy.”

3.5 Identifying no unmet needs within the BCP area is counter to 16.6 to remove all restrictions on the number of Hackney Carriage licences issues. Moreover:

- a) There are insufficient rank spaces to accommodate the the present number of hackney carriages,
- b) A situation exacerbated by the closure of ranks in 2015, of which the passage of time has illustrated served no good purpose.

- c) Rank space should be reinstated and/or increased along with routes through the town closed after midnight, perhaps dedicated for the use of taxis.
 - d) The above 3.5 (c) being more in line with improved transport links after midnight; this being a stated policy of BCP Council
- 3.6 In reference to 3.5(b) under a previous consultation Bournemouth Borough Council only consulted:
- a) with members of the Taxi Association, whose members are limited to plate holders and exclude the vast majority of drivers.
 - b) and businesses in Old Christchurch Road in the day time economy.
 - c) the result was that drivers who worked the Old Christchurch rank were excluded from their work place.
 - d) This rank was referred to as the “Taliban Rank” by the Taxi Association and reflected institutionalised racism and by so consulting exclusively with this Association the Council effected racial discrimination against a body of drivers, who were of largely ethnic origin.
- 3.7 16.6 is a form of deregulation by the backdoor in that it could flood the area with hackney carriages and should be the subject of a separate consultation or abandoned on the basis that the decision to have unlimited numbers of plates is both irrational, materially inconsistent and procedurally unfair.
- 3.8 16.3 to 16.5 regarding wheel chair accessible vehicles (“WAV”) are opposed as operators are only required to have a certain percentage of vehicles as wheel chair accessible and making a blanket ban on other vehicles serves no purpose other than making the cost of bringing potentially more environmentally friendly vehicles on stream prohibitive.
- 3.9 16.3 and 16.5 are also oppositional to 16.6, which provides for an unfettered increase in hackney carriage licences, after previously strictly limiting the numbers to WAV.

4. Hackney Carriage Livery

- 4.1 17.1 and 17.2, the need for all vehicles to be white is oppositional and irrational to 16.2 and the general principle called for in 1.3 of this document. Namely

“The three Hackney Carriage vehicle zones for Bournemouth, Christchurch and Poole will be retained. Applicants will be required to state which zone the vehicle is to work in when applying for a new license.”

- 4.2 Drivers are licensed for either Bournemouth, Poole and Christchurch and have the knowledge for the particular area.
- 4.3 If the cars are all white it will be impossible or very difficult, despite indicating logos, to differentiate one car meant for one area from another. This will make enforcement virtually impossible and will be counter to the duty to protect the public.
- 4.4 Preservation of the zones corresponds to preservation of the distinct colours.
- 4.5 The yellow hackney carriage is an iconic Bournemouth symbol and is identified by the great number of tourists that visit the town in holiday periods.

5. Abolition of fixed fares within the licensed zone

- 5.1 The introduction of fixed fares by operators to counter competition from unlicensed taxis that have been infiltrating BCP areas is counter to 14.1.14 and 14.3 of the draft licensed driver policy
- 5.2 Fixed fares should not be occurring within the allocated zones of vehicles driven by drivers in their respective licensed zones.
- 5.3 Fixed fares are damaging to drivers’ income and undermine their professional standards as indicated by the competencies required in 14.1.14 and 14.3.

Dear N Randall

I've made a couple of comments regarding your vehicle policy draft but I feel it falls on deaf ears sending them via your web site as I don't get any replies back.

The driver policy and the operators policy are fine I don't have any real comments to add as the general appearance of drivers and the safety of passenger is paramount and has needed improving for many years.

The vehicle policy draft needs changing if councils are heading towards a carbon free environment by 2030 or before.

Firstly proprietors like myself when replacing our vehicles need more flexibility regarding the age of electric vehicles and different age restrictions need applying to the fuel type of a vehicle.

A fully electric vehicle that can cope with the range a taxi driver needs to go about his business on a daily basis must be in access of 150+ miles a day .

These type of vehicles less than 3.5 years old with little mileage recorded can range from £50k up to a £100k.

Emissions are the center piece of your vehicle policy draft so it makes no sense to have the 3.5 year rule on and 10 year rule off regarding Zero emissions vehicles.

The Tesla model 3 and model S as an example when new cost £50k to £100k , they will soon be fitted with one million miles battery life and have an overall life expectancy of at least 25 years , they will also have a range of upto 500 miles on a single charge.

I should also add these vehicles are built to the highest possible standards and have 5 star ratings in all categories.

When these vehicles get 6 to 8 years old and are affordable for taxis we still can't use them due to this ridiculous 3.5 year condition.

All this 3.5 year condition does is burden taxi proprietors with unnecessary debt and lengthen the negative impact on the environment .

Most proprietors will continue to replace there vehicles with smelly dirty noisy diesel type vehicles whilst age restrictions apply to fully electric or hybrid type vehicles.

Electric vehicles are the future and are out there and available for us to use today the only thing stopping us is this 3.5 year rule on and 10 year rule off , there

extremely expensive up to 5 years old and it would be financial ruin if only a 10 year life applied.

I urge you to abolish these rules for Zero Emissions Vehicles , the running costs are also very attractive regarding electric vehicles therefore everybody benefits , please allow us more choice and within a taxi drivers budget given the current financial climate when replacing our vehicles.

Regards

J Spicer,

Emailed consultation response by Mr Talbi on behalf of BTRA

Dear Nananka, my apologies for the confusing we were having problems with emails this is the forms we are using for the consultation.

Subject: TAXI CONSULTATION.

Bournemouth Taxis Ranks Association (Formed 2016)
PROFESSIONAL – DIVERSE – FAIRNESS – RESPECT

Chairman: Barry Jones

Deputy Chairman: Mountassir Talbi

Treasurer: Zaim Gharnaout

Committee: Mohammed Miah, Ahmed Mohammed

Date: 30/10/2020

To whom my it may concern

BCP Council,

Bournemouth Town Hall

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Your faithfully
On behalf of BTRA Members
Barry Jones
Chairman BTRA

Professional, Respect, Fairness, Diversity.

On 3 Nov 2020, at 09:07, Nananka Randle <> wrote:

Dear Mr taubi

I seem to have received this letter from you in several ways over the last couple of days as a word attachment and as part of several emails (see below) and also as a scanned letter.

Emailed consultation response by Mr Talbi on behalf of BTRA

Can you please confirm all those versions submitted are the same, I am pulling together the responses and given the large number I do not have the resource to compare all 5 versions of this that seem to have been send to me. I assume they are the same and I will only add one. If there are different versions and you please advise which one you want me to use.

Regards