

Leicester Square and Whitcomb Street

the facts

West One Cars, one of the LPHCA's Founder Members (now a Platinum Member), were asked by the **Heart of London Group** if they could assist in helping in a trial to increase safety for the travelling public in the **Leicester Square area**, which would also help in the elimination of touting in the vicinity.

Keen to help they put themselves forward after having talks with the **Leicester Square Group**, **Westminster City Council** and others, they then applied to have the premises duly licensed by the **Public Carriage Office**.



Those who know the area will realise that it is extremely difficult to pick up there. Passengers have to walk a distance to the nearest roadside pick-up point, a situation exacerbated by a combination of factors

including pedestrianisation and the mass of local road works in the area.

Westminster City Council (WCC) realised that a tourist Bus Stand (that was unused at certain times) could be utilised at night to facilitate temporary parking for picking up and setting down, so special provision was given to West One Cars. A marshalling scheme was also put in place, which would enable West One Cars to get passengers, quickly and safely into their vehicles without touts and other undesirables approaching, hassling and spiriting away passengers who had legitimately booked at the licensed premises.

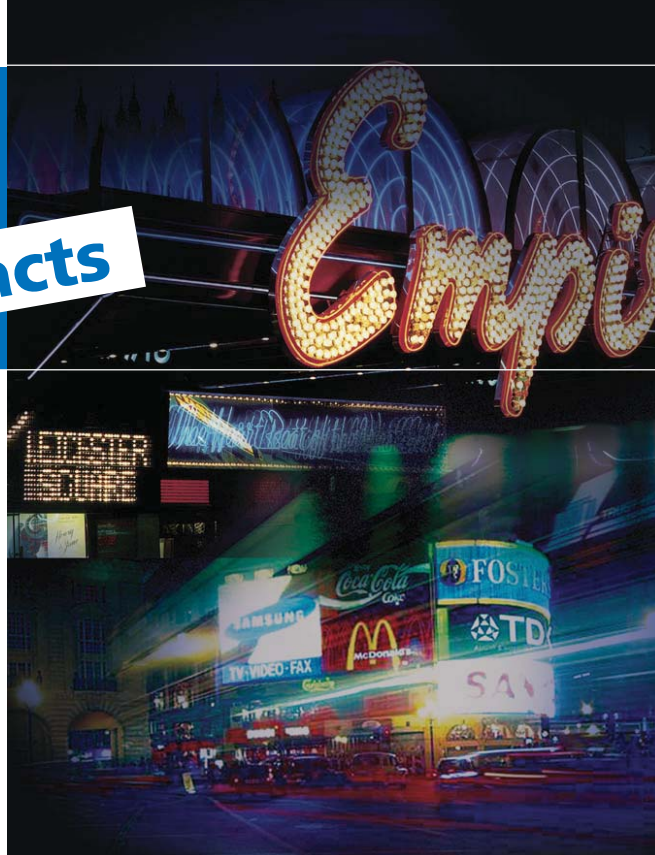
At this point the black cab fraternity decided to declare that West One drivers were '**Ranking**' at **Whitcomb Street**.

In our view, and in the view of our legal advisors, they were looking at old and inappropriate cases that had been through the courts where '**Ranking**' was proven. However, in those cases completely different circumstances applied not remotely connected or similar to those at Whitcomb Street.

The hot air started from the Licensed Taxi Industry fuelled by their worst '**Kipper Season**' (flat period) in recent memory. Black Cab drivers displaced by the huge loss of work in the City suddenly moved into the West End of London causing a glut of Orange Taxi Lights to appear looking for work that simply doesn't exist.

The LPHCA decided to have a look at what all the fuss was about. The first thing to note was there were so many taxis in the West End that, as the theatres emptied out, there appears to be little chance of earning a living there as a Taxi driver. This situation is further compounded by what is now clearly becoming a tremendous nuisance, the Pedicabs who block the ability to cross the road and make it impossible to exit a theatre without being harassed.

Secondly, moving from the **Strand** to **Whitcomb Street**, the designated pick up point on the unused bus stand was empty.



Quite a while later a West One Car arrived and was met a short time after by a safety marshal escorting a pre-booked passenger, to the vehicle.

The pick up point has room for three or four vehicles and is not a place where you can book a car, so it cannot be considered a rank and ranking is clearly not taking place. West One Cars are parking, picking up and in some cases setting down passengers who have lawfully booked with a licensed operator at a licensed operating centre.

It has always been our policy not to comment about the black cab business as they are clearly the most wonderful, knowledge based taxi system in the world, however they seem to be unable to stop having something to say about the **Private Hire Industry** over the last 40 years. This is bizarre given that many worked in our sector before becoming Taxi drivers.

TAXI DEMO

Several Taxi groups called for a demonstration saying: '*Enough was Enough*' (sound familiar?). Thrown into the pot for good measure were other issues including a letter sent to all Taxi Drivers in London by the PCO's Taxi & Private Hire director Ed Thompson, the content of which had also upset them. As previously mentioned '**Taxi issues**' are '**Taxi issues**' and this matter, we understand, is being addressed.

TAXI magazine was the first to call for action with the cry: '*Whitcomb Street War Let Battle Commence*'.

Statements included:

- *An illegal 'minicab rank' had suddenly materialised in Whitcomb Street, W1 adjacent to Leicester Square.*
- *The Public Carriage Office (PCO), apparently acting in league with Westminster City Council (WCC) had granted permission to West One Cars to operate a PHV booking office from the TKTS theatre booth located at the south east corner of Leicester Square.*
- *Minicab drivers took advantage of the new system and immediately abused the concession by creating a rank.*

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- PHVs were ranking for long periods, far in advance of any bookings being taken, in other words deliberately "plying for hire".
- The Authorities were encouraging minicabs to rank up on yellow lines to the exclusion of all other road users, including taxis, and in so doing become officially immune from Penalty Charge Notices (PCNs) being issued.
- How long will it be before minicab drivers, the PCO's favoured sons, are granted dispensation, to the exclusion of taxi drivers, to form 'legal' minicab ranks all over town?
- Illegal ranks of minicabs are already flouting the law outside almost every hotel and club in the capital. Is it the intention of the PCO to replace London's world renowned taxi service with the ever growing band of unqualified, charge what you like, licensed PHV drivers, many of whom have been granted PCO exemption from criminal record checks?

Most of the above has of course no basis in fact.

LTDA General Secretary Bob Oddy raises the issue of plying for hire by stating: 'A minicab which is pre-booked and arrives at a location to pick up passengers who have made a bona fide booking is clearly acting within the law. But the LTDA maintains that a minicab which waits to be hired, in sight of the public, prior to a booking being arranged is almost certainly plying for hire and acting illegally.'

Our view of 'ranking' and 'plying for hire illegally' is completely at odds with this view. To 'ply for hire illegally'

there must be intent to pick up passengers illegally from the streets and clearly there is no intent or example of this happening at Whitcomb Street.

What cannot be disputed is that senior officials at the PCO and other commentators have, irrespective of the rights or wrongs surrounding the Whitcomb Street enterprise, been quick to herald the noble role which they allege the Good Samaritans of West One Cars have played in getting the Capital's late night revellers safely home during the early hours.

With the utmost respect to the LTDA we do not believe that any queue of licensed private hire vehicles parked in a line constitutes that so called 'ranking' or 'illegally plying for hire' is taking place. Most case law pre-dates the **London 98 Act** and it certainly would not have been the will of Parliament to involve legitimate operators providing legitimate services, clearly not taking anybody directly from the street without a pre-booking made at a licensed operating centre directly into a vehicle to fall foul of the law. Our lawyers concur with this view.

LET'S TALK

The London Taxi demonstration of 5 February 2009 had no winners in our view and as I said on the day on **LBC Radio**, let's talk, let's hear all the issues and let's see where that takes us.

West One Cars are willing to enter into dialogue, which has politely been turned down and the LPHCA is also willing to enter into talks on any issues the London Taxi Industry might have.

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