

Private Hire in 2010

The LPHCA's Primary Issues

Given that we've had **Taxis** and **Private Hire Vehicles** in one form or another for centuries, you would think that, in an industry that is estimated to turn over £6.5 billion a year in the UK, we would have everything 'hunky dory' by now.

Licensing of Taxis, Boatmen, Watermen and Lightermen, who charged to get horses and passengers across the **River Thames in London**, dates back to the 16th Century when a **Waterman** was liable to have their licence revoked, suspended or cancelled at any time, by the **Port of London Authority** for misconduct or incompetency!



If anyone acted as a **Waterman** without a licence or after their licence had expired they were liable to a penalty of £50. If a licensed waterman failed to produce their licence to an officer of the **Port of London Authority**, they were liable to a penalty of £5. In the 1800's that amounted to half a year's wages!

So the **River Thames Taxis** had touting problems all those years ago however the punishment did seem to fit the crime and with no technology whatsoever it was relatively well policed and managed by the authorities way back then.

So centuries later, as we are approaching an **Olympic Games in 2012** in our country and capital city, we are still plagued with illegal activity, which undermines those licensed and the safety of the travelling public.

Back in February 2008 the **LPHCA** set out 20 challenges that face the industry and formed **Platinum Membership** for those who wanted to be more involved in the work of their **Association** to deal with them.

Those 20 hot topics at the time with brief progress summaries / updates were:

LONDON SPECIFIC ISSUES

■ The PCO's performance including Licensing Management of Temporary Permits, Drivers & Vehicles

Temporary Permits have ended but issues on the **Licensing Management of Drivers and Vehicles** is still the cause of most phone calls to the **LPHCA**. **John Mason (TfL's Director of Taxi and Private Hire)** has made some inroads in the first 6 months in his post but turning the old PCO into a **Modern Directorate** won't be easy.

The **TfL Taxi and Private Hire (TPH) Directorate** (as it is now known) will take some time to turn around but the process has started with a move to a far more modern building in **Palestra in Southwark**, which we are reliably informed will have a much better telephone system.

Driver Licensing issues remain a difficulty and the paper and file based system will take several years to bring up to what is required in a modern licensing system. Good news is that **TfL** have introduced a **'check and drop'** system for drivers at **Post Offices** around **London**, similar to the one for passport service. This will reduce the chances of wrongly completed forms reaching **TfL** and speed up the **Driver Licensing** process and the risk of applications being lost in the postal system.

On **Vehicles** the news is better as **SGS** are now pretty well organised as the **Vehicle Licensing** provider. There has however recently been some confusion on setting the appropriate tests

and standards for certain **Specialist Vehicles** with modifications, (mainly for special needs or wheelchair).

We are delighted to say that a **Special Members Group** was set up, which met **John Mason** and his **Senior Managers** to discuss matters in May following **LPHCA** dialogue with the **DfT** and **VOSA**.

John Mason has kindly agreed to review some of the requirements and to have further dialogue with us going forward. His response upon learning of member's difficulties was fantastic, sensible and well received by Members. Further details of the progress are in this magazine.

■ The Revocation of Driver's & Operator's Licences

Once again under **John Mason's** tenure we are seeing positive inroads in attitudes regarding the **Revocation of Driver's & Operator's Licences** with an emphasis switch to **'enabling compliance'** rather than the **'big stick and revocation'** approach.

Having welcomed this it is essential that those **who fail to comply** with regulations and requirements over a considerable period of time, must be on the receiving end of **serious enforcement activity** and **prosecution in the courts** is a necessity in such cases.

■ Potential Congestion Charges for some PHV's

We were completely successful in getting all **TfL Licensed Private Hire Vehicles** to remain exempted from additional congestion charge proposals.

■ Losing access to The Royal Parks

We were completely successful in getting all **TfL Licensed Private Hire Vehicles** to be lawfully allowed into the **Royal Parks**.

■ Potential New Fees for Operator Licences in London

We were also successful in getting **TfL** to abandon a sliding scale system that would have made becoming a **Small Operator** too cheap and **put up costs** for many other **Operators**. **TfL** has in fact frozen most licensing costs this year.

■ The Olympics

The **LPHCA** is part of the **Olympic Games Industry Group** for **Taxi & Private Hire**. We have been working closely with the **Olympic Delivery Authority (ODA)** and **Transport for London (TfL)** on security, communicating with the trade, picking up / setting down and many other issues.

LPHCA Platinum Member Patricia Murtagh is also **Chair** of the **GoSkills Olympic Group**, which looks at any potential training and development requirements for the **2012 Games**.



The **LPHCA** has invited **Olympic Transport Managing Director Hugh Sumner** to recent **Members Meetings** and **Road Shows** and **Hugh** and his team will once again be updating us in **October** at our **AGM** with another presentation and update.

■ Corporate Price Fixing – Intermediaries, Facilitators & Platforms

A **Platinum Members Committee** is convened to meet soon to scope out the **LPHCA's** position in this area.

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ISSUES FACING US NATIONALLY (INDUSTRY WIDE)

Silly Medical & Eyesight Requirements

Our opinion remains that DVLA Group 2 was designed for large HGV's and was never appropriate for Taxis and PHVs. This was proven when regulations were amended for certain diabetic groups. In London the PCO have moved forward by reviewing eyesight requirements but the issue of monocular vision drivers not getting licensed remains an issue.



Cross Border / Subcontracting

We are working with the **Institute of Licensing, National Association of Licensing Enforcement Officers** and others in modernising regulations.



Parking, Picking Up & Setting Down

Work is ongoing with **TfL, Westminster Council, the DfT** and **Local Authorities** elsewhere. We are now being consulted about **Transport Plans** more often.



Voluntary Drivers

This subject is live as the **Olympic Delivery Authority** has announced that cars will be provided for transport by major sponsors, which will be used for **Olympic** transportation. We are considering the impact on **Private Hire** and if it undermines us.



Road Pricing

We are waiting to see where the political football lands on this with differing views on each side of the new **Conservative Liberal** coalition.



Driver shortages

The recession has brought a steady supply of drivers but at the time of less work and demand. This topic is under review and probably needs to be headed under driver recruitment and training issues.



VAT & Employment Rules & Laws

We will continue to remind members of ongoing changes and updates in these requirements, Trade Union Activity and other matters, in conjunction with Croner and via E-alerts.



Touting

The **LPHCA** attends a special group, which includes **TfL, the Met Police, Westminster Council** and representatives from the **Taxi** industry. Night clubs licensing and touting is now directly connected in this area and a special **LPHCA Members** group has been convened specifically to deal with the operating issues in London. See **Rout the Tout** and **Night Clubs** article in this edition.



The problem of 'job theft' by drivers (some who masquerade as licensed small operators) remains and is part of proper **Operators** ongoing problems. Nationally – illegal activity remains and we will be raising this with the new government.

Loophole Closures & Ambulance Definitions Topic has now moved to Enforcement.

The good news is that from 1st April 2008 we now have all embracing regulations and anyone transporting passengers for reward must be licensed.



Whilst this is now off our 'to do list' we must ensure that everybody is either licensed or prosecuted and those who have been dodging licensing must be dealt with.

Following our **'Time to Act'** article we have received great news in the form of a view from the **Department for Transport (DfT)** that confirms our position and legal advice that **'Unlicensed' Event Management Companies, Agencies, etc., at road, air, flower, fashion, (shows), concerts, sports and other events must be licensed.**

We are currently in discussions with **Transport for London (TfL)** specifically about **Event Management** car services at this year's **Wimbledon Tennis Championships**. We are hoping that these talks will lead to definitive rules going forward. The **Chauffeur and Executive Platinum Committee** have met once and will be re-convening with **TfL** and potentially **DfT** soon.

Criminal Record Checks

It remains the case that the single biggest delay in the driver licensing process is with **CRB checks** and we thought it was about to get worse as new measures in the vetting process were to be introduced at the same time as changes in **CRB** forms.



The **Government** however has put the new measures on hold that were due to be introduced on 26 July 2010 to remodel the **Vetting and Barring Scheme** back to what they say is 'proportionate, common sense levels'.

We had raised concerns with the **Department for Transport** and others that the new forms and the introduction of new confusing requirements at the same time would cause serious chaos to the checking system.

Drink & Drug Driving

Sir Peter North has taken on board our recommendation that **Taxi** and **Private Hire Drivers** should not have lower limits than ordinary drivers. The evidence supported our arguments after it was found out that normal car drivers are on average 6 times more likely than a **Taxi** or **Private Hire Drivers** to be over prescribed limits.



Bus Lane Usage

The **LPHCA** is no longer part of the **Private Hire Board** who are running a bus lane campaign; so we will review their progress and decide whether we need to act independently at a later date.

