

Time to Act on Licensing!

The **LPHCA** is an organisation that has been successful; we believe that dialogue is the key to the way forward in so many matters. We are patient, for example waiting over 20 years for licensing in **London**.

We then waited nearly 10 years for the '98 Act to be fireproof and 'all embracing'.

We went to the **PCO** over two years ago to complain about alleged unlicensed activity at **Wimbledon**, where an **event management company** rather than a **licensed private hire operator**, we understand from substantial evidence in our possession, are transporting passengers for reward.

We have had many meetings and sought independent legal advice with the **PCO**, **TfL**, the **Department for Transport (DfT)**, **Politicians** and our **Members**.

We approached the **All England Lawn Tennis Club** directly who were dismissive of our attempts to talk to them and refused to see us.

In desperation we went back to the **DfT** for their view, which we publish below. They concur with our view that the transport at **Wimbledon** should be licensed by **TfL**.

We are prepared to wait no longer and we expect the **TfL Taxi & Private Hire Directorate** to prosecute and take enforcement action against the illegal activity at **Wimbledon** however inconvenient or late in the day it may be, or in our view, they will be failing in their duty.

The pictures on this page are showing passenger transporting vehicles, which are clearly in breach of licensing regulations. So **ENOUGH is ENOUGH**.

We will now be raising this matter with **TfL's Surface Transport Managing Director David Brown**, the **Mayor's transport advisor Kulveer Ranger** as well as at a high level in government.

They have had several years to licence **Passenger Transport at Wimbledon**.

LICENCE or PROSECUTE is where we are at now.



via e-mail

Department for Transport

19 May 2010

Dear Steve,

Thank you for coming in to see me recently and explaining your concerns about the transport provisions at the Wimbledon championships.

I acknowledge the letter you subsequently sent to me by e-mail on 23rd April. The Department does not usually comment on individual cases nor provide legal advice however we are happy to set out our general views on the issues you have raised in respect of this issue.

Section 6 of the Private Hire Vehicles (London) Act 1998 provides that no vehicle shall be used as a private hire vehicle on a road in London without a valid private hire vehicle licence.

The definition of a private hire vehicle is contained in section 1 of that Act and defined as a vehicle constructed or adapted to seat fewer than nine passengers which is made available with a driver for hire for the purposes of carrying passengers, other than a licensed taxi or public service vehicle.

The Department takes the view that in order to constitute a hiring, it is not necessary for a specific payment to be made. Where transportation services are provided for a specific event, whether as part of an overall event management contract or not, the Department does not see that such services would fall outside of the licensing regime simply because they are being provided for a specific event or to a specific class of persons.

The 1998 Act does not require a private hire vehicle to be made available to the general public but simply 'for the purposes of carrying passengers'.



With the above in mind, it is not clear to the Department on what grounds it is argued that a company can provide transportation services to the Wimbledon Tennis Championships without falling within the scope of the 1998 Act.

I understand that Wimbledon have said they consider that the transport element of the championships are outside the scope of licensing, but have not undertaken to clarify why they have formulated this view.

Your query raises a wider issue surrounding the enforcement of the licensing regime created by the 1998 Act. Enforcement is a matter for Transport for London (TfL). However, I note that TfL have stated that they are liaising with the All England Lawn Tennis Club regarding the transport arrangements for the 2010 championships.

TfL also state that they take the same approach with all organisations they feel should be licensed and it appears that TfL are seeking to bring these transport activities within the licensing regime in a sensible manner.

Whether this can be achieved prior to the 2010 Wimbledon Tennis Championships is a matter for TfL. I do understand that TfL are working to find a solution to this issue.

I hope this answers some of your concerns.

Yours sincerely, PAUL LAWRY