



More trade stories than all the others put together

Issue 246 February 2017

ABUSE OF POWER?



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as TfL and road
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and should be sent to the Editor at the
above address.

The London Cab Drivers' Club Ltd.

CLUB TAKES ON TfL OVER MEMBER

As most of you are aware, LCDC is locked in a battle with TfL over its attempt to suspend one of our members, Sean Stockings.

You will be able to read the detailed account of what has transpired so far regarding this case (see pages 4-5) However, one of the most frightening aspects to have arisen from this, is the possibility that Peter Blake in his capacity as Director of Service Operations would be able to suspend any taxi driver who tweeted out anything that he may find offensive and state that you were not a fit and proper person to hold a licence.

The LCDC will ensure that its members will not be bullied in this matter.

the City of London regarding the Bank Junction has left the Trade fuming.

We attended a meeting several weeks ago, where these plans were told to us, since then there has been a week of protest and another meeting held by the Col and drivers from the Demo. We have been informed that presently, the scheme will be going ahead.

The City of London has asked for another trade meeting.

TARIFF

Just to set members' minds at rest, the Club was represented by Micky Walker at the tariff meeting held at Woodfield Rd last week, although we were mysteriously excluded from the name check in TAXI.

You can see Micky Walker's full report on page 19 WOTM. There is a brief synopsis of what was jointly agreed within the Badge.

Grant Davis
LCDC Chairman

BANK JUNCTION

Like everyone else, the ludicrous plans unveiled by



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Mayor says No!



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Our ref: MCLA171116-3303

Date: 19 DEC 2016

Dear Mr Davis,

Thank you for your letter of 4 November and I apologise for delay in responding to you. I am aware that Val Shawcross has recently written to you regarding a number of the issues you have raised in your letter.

I would like to assure you that I share your concerns about the growing number of private hire drivers licensed in London. There has been a significant increase in recent years, from 59,000 drivers in 2009/10 to more than 115,000 today. Transport for London (TfL) is currently legally obliged to issue a licence to anyone who meets the criteria for licensing.

As you will be aware, both taxi and private hire drivers are exempt from the European Working Time Directive and it is up to the individual driver how many hours they choose to work. However, increasing numbers of stories about taxi and minicab drivers struggling to make enough money to support themselves and their families is very concerning to me, particularly in light of my efforts to promote the London Living Wage.

In relation to the working conditions of drivers, it is not within TfL's remit to advise on the contractual arrangements between drivers and who they choose to work for. However, I am passionate in my belief that everyone deserves decent pay and working conditions and I was pleased with the outcome of the Central London Tribunal case on 28 October, which ruled that two drivers working via the Uber app are now entitled to the most basic workers' rights, including to be paid the National Minimum Wage and to receive paid holiday. I understand this decision is being appealed, and I await the outcome with interest.

Uber London Limited (ULL) is registered as a Private Hire operator in London, having met the same pre-licensing requirements as any other applicant for an operator's licence and is subject to all legislation and compliance checks that applies to private hire operators in the capital.

The Private Hire Act 1998 is clear that TfL must issue a licence to applicants who meet the statutory requirements. Tax arrangements are beyond the scope of the regulatory principles in the Act, and as such any issues with tax is a matter for Her Majesty's Revenue and Customs.

Both TfL and I will continue to work towards creating a vibrant and safe taxi and private hire market, for the benefit of both trades and the customers they serve. With this in mind, and taking into consideration both the points I have made above and the changes to processes and policy that have been made at TfL in the months since I was elected, I do not support your request for a public enquiry into the licensing of ULL.

Thank you again for taking the time to write to me.

Yours sincerely,

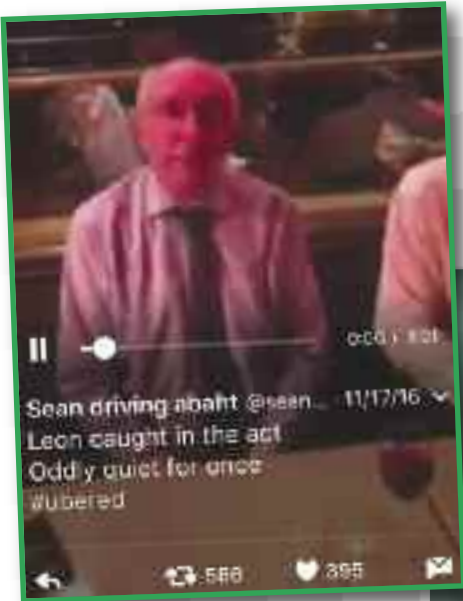
Sadiq Khan
Sadiq Khan
Mayor of London

STOP PRESS

As many readers of the Badge will know, the Club has called for a Public Enquiry into the way UBER LDN were actually licensed:

We firmly believe that the only way forward for TfL being seen as a completely unbiased Regulator would be an independent and transparent enquiry into the fact that UBER LDN who:

1. Call themselves a Tech company and not a transport provider were ever granted an operator's licence.
2. Based in Holland for tax purposes, they then claim they are a transport provider.
3. UBER LDN not owning any vehicles.
4. TfL admitted to us that "whoever" accepts the booking and the payment enters a contractual agreement between the operator and the passenger - we agree 100% but TfL licensed UBER LDN and not UBER BV, who take the booking and the payment.



On Thursday, the 17th November at around 8.30pm, LCDC member Sean Stockings was walking past the Delfino restaurant in Mount Street W1, when he spotted Leon Daniels and others including Tfl Head Mike Brown at a table. This was on a day when 17 passengers were injured in a bus crash in Ladbroke Grove. Somewhat shocked to see Leon Daniels who is Head of Surface Transport enjoying a relaxing night out after such a serious incident, Sean asked Leon if he knew “how many crashes today... how many injured”.

He recorded the conversation and put it out on Twitter - subsequently, he was contacted by TFL who threatened to suspend his licence and requested that he attend a appeal hearing at Palestra. As a result the LCDC contacted our lawyer, Keima Payton. Keima asked on what charges would he be appealing, who had instigated this action and asked for all copies of statements to be forwarded to her before the appeal. Due to the fact that TFL were unable to provide this, she declined to attend the appeal hearing at Palestra.

The situation then escalated with the Road Traffic Policing Command (who are funded by TFL) becoming involved, requesting that Sean attend a “Caution plus 3 interview” regarding this matter. Below you can read some excerpts from emails sent by



Keima Payton and the responses.

Dear Ms Payton

Further to our conversation this morning please find attached disclosure as requested. I would be grateful if you could advise on availability for a caution plus 3 interview regarding this matter.

Kind regards

Caroline Else

Dear DC Else,

I understand that you wish to interview Mr. Stockings in relation

to an offence of Harassment contrary to The Protection from Harassment Act 1997 and despite my last email it is clear that you remain intent on that course. As such, I have decided to set out, in detail, why Mr. Stockings cannot be guilty of the offence in question.

THE LAW

I assume from all you say that the offence you wish to investigate is the section 2 offence. The elements of section 2 offence are:

- a course of conduct;
- which amounts to harassment of another; and
- which the defendant knows, or ought to know amounts to harassment of another.

Although it may be that you intend to investigate a section 4

offence. The elements of the section 4 offence are:

- a course of conduct;
- which causes another to fear that violence will be used against him; and
- which the defendant knows or ought to know will cause another to fear that violence will be used against him; and
- the defendant ought to know that his course of conduct will cause another to fear that violence will be used against them if a reasonable person in possession of the same information would think that the course of conduct would cause the other so to fear on that occasion.

The incident is alleged to have taken place on the 17th November

2016 which was, not coincidentally, the day of the Ladbroke Grove bus crash where 14 people were injured (<http://www.itv.com/news/london/story/2016-11-17/14-people-injured-in-ladbroke-grove-bus-crash/>). Thus a member of the public walking down the street and seeing such a man, on the day of such an incident, a man who had chosen to sit in full view of the public and enjoy a celebratory meal may question whether Mr. Daniels was aware how many people had been injured on the bus that day - and to ask is hardly harassment. Aware that the number of bus collisions have risen steadily since 2012 and that a FOI Act request had recently established that there is one death every three weeks involving



L.C.D.C LEADERS NOT FOLLOWERS



Over Daniels tweet



calmly and in a civil manner when one happens across the MD of Surface Transport would not ever amount to harassment and is certainly not something that Mr. Stockings did or indeed would ever have considered oppressive and unreasonable.

I could ask rhetorically why would anyone in these circumstances form the view that this was "inciting people to physically abuse him"? I am sure you are aware of the Bentley case where the misunderstanding of the phrase "Let him have it" resulted eventually in a posthumous pardon - well in my experience any Court or prosecuting body when looking at a phrase would consider all that I have said as well as language used and context. The context is that when Mr. Stockings happened upon Mr. Daniels on the eve of the Ladbroke crash, he simply and politely asked him some questions - there was no threat of violence and there was no verbal abuse. Mr. Daniels may well have preferred not to have been seen that evening, enjoying the company of others - he may have found the questions irritating or even annoying - they are just not oppressive and unacceptable. In truth, he was caught red handed and shamed face (does the face look scared to you?) and "Come and get him" meant come and catch him in the act too! Nobody did.

For clarification: Mr. Stockings is not a celebrity, he is not well known - has a few followers but certainly not a large twitter following (He is no Lady Gaga) - isn't another problem with your assertions of incitement simply that it is unclear what Leon Daniels assumed. The circumstances are nothing but a set of assumptions - it was assumed it was a threat, it is assumed it was a call to incite others to harm, it was assumed that thousands would descend on Delfino's - isn't this entire incident a storm in a wine glass and isn't it far more about embarrassment than fear? Mr. Daniels couldn't and didn't know the forum upon which the video was posted - apparently that was the subject of a month long internal investigation - for all I know you may have conducted it? Did you?
Your below email makes it plain that you wish Mr. Stockings and myself to voluntarily attend Palestra to be questioned about an offence that I have explained lacks evidential basis. May I ask why? I ask because I am concerned that your request has little to do with a purported criminal investigation but is

in fact an attempt to abuse public justice by using police powers to investigate an internal TFL matter - I should add it is their role to investigate his fitness, not yours.

I formally request that you send me the witness statement of Leon Daniels - I need it to address the TFL internal hearing of which you are no doubt aware?

Please also explain why you are investigating this matter and how you say it falls within the "RTPC" remit?

Dear Ms Payton

As you are aware a course of conduct is 2 or more instances.

As you can see from the disclosure the first occasion where it is alleged that Mr Stockings attending Delfino's filmed the victim and said 'come and get him'.

The second occasion is the uploading of this footage on Twitter along with the 'come and get him'.

These two acts are in relation to the same person.

Please contact me so we can arrange this.

Kind regards

Caroline Else

Dear DC Else,

Further to my last email (below) for which I await the courtesy of a reply, I write to enquire whether your tardy response signifies the end of your involvement with events of the 17th November 2016?

Whilst I consider your lack of engagement is likely due to it being conclusively established that Mr. Stockings could not have committed the offence you purport to investigate (disclosure attached), I am concerned that should you be asked to do so by TFL, you would arrest Mr. Stockings. Please be advised that should Mr. Stockings be arrested for any offence, by you, or indeed any other officer within

Road Transport Policing Command, for anything other than a road traffic matter, there WILL follow a civil action against The Metropolitan Police.

I have grave concerns regarding your independence; mainly as this is not an offence within the remit Officer within Road Traffic Policing Command (which as I stated in a previous email "is significantly funded by TFL") and because in my experience Charing Cross Officers normally deal with offences emanating from restaurants within the W1 area - these concerns are heightened by your refusal to explain why you are investigating this matter. I am concerned that your involvement has little to do with a purported criminal investigation and is an attempt by TFL to abuse justice by using police powers to investigate an internal disciplinary matter.

You are yet to provide the following:

- a) The witness statement of Leon Daniels,
- b) Confirmation as to whether you are aware of the internal TFL investigation,
- c) Confirmation as to whether you played any part in the investigation to discover the identity of Mr. Stockings for TFL,
- d) Confirmation as to why you are investigating this matter and how you say it falls within the "RTPC" remit?

Please do so at your earliest convenience.

Please be advised that I have copied this email to the Directorate of Legal Services in the hope that they will impress upon you the folly of any attempt to arrest my client, should such advise be necessary.

Dear Ms Payton

Many thanks for your email.

The matter is currently being reviewed by DI King.

I can confirm that Mr Stockings will not be arrested for this matter.

Kind regards

Caroline Else

London buses
<http://www.standard.co.uk/news/transport/on-e-death-every-three-weeks-involving-london-buses-new-figures-show-a3091156.html> - was it remiss to ask questions about that or indeed, how on the 16th November 2016 TFL had reported that they would pay for the funeral of Tram Crash victims (<http://www.bbc.co.uk/news/uk-england-london-37988749>)? Were not questions of this nature entirely legitimate questions for the MD in charge of Surface Transport who was enjoying himself, celebrating even, at a sad time for surface transport? At a time when London is thick with exhaust fumes and suffering with an explosion of Private Hire Vehicles (which cost £250 each) is it remiss to query how many more had been sold?

Mr. Stockings would have little difficulty establishing the legitimacy of his approach and questions. Asking those questions,



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Southend Councillor accuses TfL of being 'complicit with UBER over banned drivers'

Tony Cox, Southend's Council member for Transport has come out and publicly criticised TfL by saying "Uber are sticking two fingers up at licensing Authorities like ours... and TfL are complicit with it".

These remarks were made after it was discovered that UBER was using convicted criminals to tout for business, even though the Council had banned them from working as cabbies.

Taxi firms in Southend have been left dismayed by the arrival of up to 50 UBER drivers operating in the area. Among the new drivers are two familiar faces, Nasser Hussain, 60, and Nisar Abbas, 37, who were stripped of their PH licences by Southend Council for operating a ring in which they and other drivers shared each other's penalty points for speeding, running red lights and other offences to avoid being banned.

UBER drivers are required to hold

PHV licences issued by the local Authorities, but the two men side stepped their bans by applying to Transport for London instead of Southend Council.

Such "cross border" drivers are exploiting a legal grey area, which has worked to UBER's advantage as the Company seeks to expand into new areas across the UK. Other places affected by their tactics include Bristol, where dozens of UBER drivers are using London PHV licences to avoid local Council's requirement that taxi drivers must take a special driving and City geography test.

At Southend Crown Court in 2010, Hussain and Abbas were each jailed for 12 months after pleading guilty to ten counts of perverting the course of justice.

The Judge, Ian Graham, told Hussain, who lives in Southend: **"You continue to carry the public when you should have been off the road altogether."**

Tony Cox, said... "What I found astounding is that we did our part and removed these people from the road, but we know find we are impotent to protect the public." Despite complaints from the

Council, both Hussain and Abbas were still shown on TFL register of licenced drivers last week. Steve Garelick of the GMB Union said: "It is tantamount to an invasion and it is a much wider problem than Southend. Across the Country, UBER are twisting the regulations to suit their ends. Local Licencing systems are being side-stepped in the most cynical way".

An UBER spokesman said: "Hussain and Abbas still drove for the Company, but their vetting was a matter for TFL." Tfl once again proving that EVERY JOURNEY (doesn't) MATTER.



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What's it all Abaht...

I am the new office boy and Grant has said I need to start earning my keep, so here I go...



Earlier this week I witnessed customers being harassed by rickshaws parked on the pavement outside Selfridges, essentially attempting to intercept them whilst they were trying to get into the waiting legally ranked licenced Taxis, I also noticed two CO's on the rank pointedly ignoring this so decided to approach and film (Twitter @seanblackcab 26/01 2014hrs)

I asked the CO's if their jobs were "managing problems in London" and they agreed it was. I asked them about the rickshaws obstructing the pavement, they responded "they are not responsible for them" and it "was the councils problem" and "not their problem". I pointed out that the rickshaws were illegally touting for work and accept jobs whilst unlicensed, CO's response was "they had not received training to

combat this problem". I also pointed out that the rickshaws were blocking access to the rank for customers. CO agreed with me and said "he had seen it himself", more tellingly he revealed that they had not received "any specific instruction". This is quite shocking and lends itself to the thought that compliance are not in fact there to manage London but only to follow a very narrow instruction set (equivalent of a policeman ignoring an assault because he's doing burglary) and in this case over ranking, in fact if the rickshaws were removed the rank would flow more freely. So why is the unfinished article being released by TFL to tackle Taxi and PH? What is the detail of their training, how long does training last, what is the cost and how long does it take from recruitment to the finished article? Are they familiar with Taxi & PH regulations? Another point is why are they not 'warranted' which

would make them much more effective? Is this just window dressing for the Mayor's office and the GLA from TFL, is there a target that TFL has to adhere to appease City Hall? Infamously Garrett in City Hall proclaimed there were 400 compliance officers and that's when the PH numbers were much lower. Peter Blake (head of licencing, currently trying to take my badge away) whose favourite word seems to be malfeasance thinks it OK to churn out licences at an alarming rate but not provide the infrastructure or resources to keep the public safe or adequately police London. Why is @TfLTPH twitter only monitored Mon to Fri between 0900 – 1700, majority of issues occur out of those hours? In a short 3 years PH numbers have doubled from 60'000 to nearly 120'000, with no mechanism to monitor or control, surely this is malfeasance in its purest form?

Lies damned lies.

There seems to be a campaign afoot at the moment to exaggerate the footprint of London's Taxis, our numbers have remained static for the best part of a decade (23'000 cabs). In a city of 8.5 million where there are over 2.56 million privately owned cars (2005 TFL Gov stats, now there are many more) allegedly 23'000 Cabs are responsible for 20% of traffic whilst 120'000 PHV accounts for only 12%.....EH? Another example of hooky stats rolled out by TFL. Peter 'malfeasance' Blake at the LCDC AGM on the 13th of September last year stated that from July that year operators would have to inform TFL exactly how many drivers they employed, where is this data, when @TfLTPH were asked they declined to reveal. Yet again covering for their 'partners'. London's roads are truly now at breaking point, with close to 120'00 PH...majority are working for Uber and as we know despite TFL's 'nanosecond pre book sham' argument Uber allocates jobs by proximity and any 'honeypot' locations have become a gridlocked free for all. There is 5280 feet in a mile, a prius in 15ft long plus 3 ft

gap from the vehicle in front. 293 Prius are the equivalent of ONE MILE of road space. TFL have steadily been processing PH at the rate of 600 a WEEK, that's 8 miles of road space lost every month and everyone wonders why London is gridlocked. Sadid has been mayor now for almost 8 months in that time London has lost from PH alone almost 64 miles of road space, a truly woeful record from a labour mayor who promised so much. Thought it was particularly amusing this week that the TFL excuse for lung busting pollution was 'wood burners'.... Obediently trotted out by BBC's Tom Edwards with zero questions.

Bank Junction calibrations.

Keep your eyes peeled for extra traffic in the city as TFL manufacture traffic prior to Bank Junction being closed, phasing of lights on London Wall and Gracechurch St has already altered as has many other junctions.

A classic TFL ploy to exaggerate the positive impact of any new schemes, upon completion the lights will be put back to normal and their tinkering will be deemed a success.



Uber might do without drivers but the taxman is in hot pursuit...

If you were out on the town last night, you might have hailed a cab to get you home, and if you live in a big City, there every chance you booked your ride through Uber: Just six years after launching, the smartphone app has become the cornerstone of the private transport system.

Users sometimes rave about Uber, and in truth what is there not to like, they'll ask? It's much more convenient and often cheaper than a mini cab, they claim. But, however brilliantly conceived its service may be, Uber is struggling to prove it can justify the stratospheric valuation it now commands. To date, Uber has raised more than \$7bn and is valued at between \$65bn and \$70bn – at least \$10bn more than General Motors. However, figures leaked recently, reveal Uber is shelling out vast sums in its relentless quest for expansion. In 2016 third quarter, it is reported to have made an operating loss of \$800m.

With Uber on course to plunge into the red to the tune of nearly \$3bn last year, it will surely not be long before the abrasive Kalanick is tapping investors for cash. Uber is throwing money around with abandon, offering bargain fares and subsidies for drivers to fatten its customer base and squeeze out less lavishly funded rivals.

The conundrum is what happens in the long hiatus before Uber can introduce vast self-driving fleets? For the time being, it must pay people to drive its cars. At the moment, it keeps a lid on costs by paying its drivers according to the level of fares they collect. As with other gig economy companies, its drivers are not classified as workers so are not entitled to holiday or sick pay or an old age pension, the company also does not pay them for any idle time between jobs. By diluting its driver's rights, Uber has a colossal competitive edge over traditional cab firms. However, its status is under attack in both America and Europe, drivers are rising up with legal challenges to their



serf-like status. In the UK, a British employment tribunal ruled that Uber drivers should be classified as workers and receive the living wage. The company are challenging this, but if the appeal fails it will have to pay around £85m a year in extra payroll taxes. Its VAT bill, however, could be exponentially higher. Currently, the vast majority of Uber drivers do not charge VAT to passengers as self-employed people earning below £81,000 they do not have to charge VAT. But, if the drivers were deemed to be employees, Uber rides could be subject

to the sales tax. Unless it increased their fares, the VAT bill would move it even further away from profit. So how much would Uber have to pay? An educated guess is possible, Uber has 40,000 drivers in Britain, who earn an average £16 an hour and works 26 hours a week. The typical driver therefore earns £21,632 a year meaning the company hands £865m to its "workforce". Yet, that is not the total spent on Uber rides in the UK. When you book an Uber, your money is collected by a sister company in Amsterdam, which sends the

money back to the driver minus a 20% commission. So the actual revenue Uber currently reaps from UK customers is in the order of £1.1bn. H&M Revenue and Customs would be well within its rights to claim a sixth of that sum as VAT – going back for at least 4 years. Governments everywhere are looking to rein in the gig economy. Uber may in future rid itself of the inconvenience of paying humans to drive their cars, but as Benjamin Franklin might have said, nothing is certain except death and VAT.

Revealed: How driverless cars could transform London's roads



A vision of how driverless cars could transform London's roads has been created for a new report.

Images include a virtually pollution-free shopping street, the M25 bordered by cycle paths and solar panels, and Marble Arch as a shared space for electric driverless cars and people.

The study - by engineers WSP/Parsons Brinckerhoff and architects Farrells, which is backed by the London Sustainability Exchange charity - warns cyclists and pedestrians must learn a "new etiquette" for sharing spaces with robot cars.

It suggests fleets of hop-in/hop-out autonomous vehicles combined within London's public transport infrastructure could improve air quality while slashing the number of parking spaces needed.

The findings will be discussed at the Our Future London event on Thursday, hosted by Siemens in Royal Victoria Dock. It comes after Transport for London executives held a video conference with Sidewalk Labs, a branch of Google's parent company, Alphabet, to discuss using big data to manage London's parking and "persuade" people to use cars less.



Alan's Angle

Turn off your engines

Westminster City Council – Consultation on Traffic Management Proposals CIVIL ENFORCEMENT OF ENGINE IDLING

The City Council intends to commence the civil enforcement of “engine idling” contraventions to facilitate its obligations to improve air quality in the City of Westminster. Civil Enforcement Officers will be authorised to issue Penalty Charge Notices (PCNs) for contraventions, replacing the existing less effective and less efficient system which necessitates the issue of Fixed Penalty Notices by Traffic Marshals.

Enforcement will be rolled out City-wide on a trial basis, commencing initially with the Low Emission Neighbourhood comprising the wards of Bryanston & Dorset Square and Marylebone High Street. This process will be introduced by means of an Experimental Order made under the provisions of the Road Traffic Regulation Act 1984, so that its effectiveness can be gauged. In due course, the City Council will consider whether to continue in force the provisions of the Experimental Order on a permanent basis, depending on the success of the process.



Taxi ranks update

WESTMINSTER UPDATE

This month will see the launch of WCC app that will show which ranks have space available at real time to taxi drivers. I hope to be one of the guinea pigs that will be beta testing the app ahead of its full launch later in the years. This is technology that is being part funded by TFL. The app will work by showing drivers which ranks have space via a camera positioned above the rank, this will not be live picture but the technology will be able to tell how many vehicles are on there. We are hopefully being told that

it might be able to tell the difference between a taxi and a car parked. This in turn could alert enforcement to illegally parked vehicles and before you ask this will not be used by TfL to police the ranks so I'm told, but who knows with TfL - they do have to keep their newly acquired CO's busy.

CITY OF LONDON UPDATE

Where do I start? The London Cab ranks Committee met last week to talk ranks in the city after the COL appointed new people to talk to us. We

have again asked for many rank locations for them to take away and look into whether they can appoint them. We know they will knock back some due to locations but hope they will agree on most. We gave them our top 15 and hope they can appoint at least 3 a quarter which will be a good start for us. Some of the locations we gave them was Grange Hotel St Pauls, 2 locations in Gresham Street, Sky Garden in Philpot lane and other locations. We do hope we can work with the city but are currently doing our best to find away forward to working with the city to find solutions that will be satisfactory to all. However it is becoming more difficult to work when we know the the COL are excluding taxis from certain traffic schemes ie the Bank junction and what I'm hearing is the plans are being drawn up to make Beech Street tunnel electric vehicles only. This will put London Wall under even more strain from the extra traffic from Bank closure.

BRENT CROSS DEVELOPMENT

I met with the developers for the new Brent Cross shopping centre recently along with LTDA and Unite to hear their plans for their upgrade to Brent Cross. The new Scheme involves two new taxi ranks, one at either side by Fenwick and John Lewis. There is also a new hotel being added which one of these ranks will serve. This is a major upgrade for Brent Cross, who are trying to create their version of Westfield in North London. We weren't happy that the plans for the bus station showed that we had no presence at all, we felt that we should be there as the new Marks and Spencer building is right by the bus station where we know customers will be looking for taxis. We have asked if we can gain some space but normal buses have taken up all the spaces. We also hope some electric charging points can

be acquired at the new development.

CHARGING POINTS FOR TAXIS

TFL are looking to introduce up to 40 quick charging bays for taxis only by the end of 2017 and that will rise upto 90 by the end of 2018. The team in charge are looking for areas around London to introduce these bays so both Green badge and suburban can charge up during our working day. They have asked for some rank space locations to be able to use for charging. we've have given them some ideas but are looking to TfL to acquire space also. These quick charge bays will quick charge our vehicles to full charge in around 20 mins with a cost of around £5/£6 pounds we're being told. The bays will not be run by TfL but will be put out to tender for private companies to buy up the sites.

Sadiq Khan hires Nike executive for £98,000 as his new walking and cycling czar

A Nike executive who specialises in boosting participation in sports around the world has been appointed as Sadiq Khan's first walking and cycling commissioner.

Will Norman, currently global partnerships director at the sports giant, will be tasked with getting more Londoners out of cars and onto bikes and their feet.

He will work with Transport for London to invest £770 million on new cycling infrastructure and pedestrian schemes across the capital, making both safer.

The walking and cycling czar will for the first time be a full-time role, with a salary of £98,000 a year. The Mayor had originally planned a part-time appointment, as existed under Boris Johnson.

Mr Norman, who cycles in London every day, is not well known on the cycling circuit but has broad experience of getting people from all backgrounds more active.

Before joining Nike in 2013, where he has worked with a range of international organisations including the World Health Organisation and the International Olympic Committee, he set up a social research consultancy and was also director of research at the Young Foundation, which promotes social equality.

Mr Khan said: "Will Norman brings to this new role an impressive track record in delivering major international projects to get more people active."

"As the first ever full-time commissioner, he will be able to make a substantial difference getting Londoners of all ages and backgrounds walking and cycling more – improving our city for everyone."

Mr Norman added: "Cycling and walking can play a transformational role in improving our health and happiness, and building better communities for everyone."



Mr Khan was buffeted by accusations of cronyism over the appointment of his Night Czar Amy Lane, a Labour Party fundraiser and member, when it

emerged that her appointment was made through a personal services company, which critics said was usually a way of avoiding paying tax.



MANZE'S DROP UBER EATS

BERMONDSEY'S much-loved historic pie and mash shop is urging customers to get behind it as it fights to survive the gentrification of the borough.

Rick Poole, co-owner of Southwark's Manze's Pie and Mash stores, says the chain's popular Tower Bridge Road branch is under threat as it struggles to keep up with the ever-changing times.

The 53-year-old, who co-owns the chain with his brothers Geoff and Graham, recently pulled out of a contract with delivery company UberEATS after it sparked backlash from some of their customers.

And he is now calling for customers to get behind the company, as they fight to survive the gentrification of Southwark.

Speaking to the News, he said: "Because of the Uber connection, a lot of customers were upset because it was stealing trade from the black cab drivers."

"We are always getting calls from office workers asking if we deliver

and we had all of the UberEATS packaging ready to go – but we have to listen to our customers."

Rick said he did contact Deliveroo, who also deliver in the area, but was told that they are not taking on any more customers at present.

The businessman told the News it is "not a case that the branch is shutting down" but that the delivery service was something that would have helped it to survive.

"There's always the threat [of closure] because over the years so many things have changed for us in Tower Bridge Road," said Rick.

"One of those things was the red route [which imposes parking and stopping restrictions on certain roads]."

"You can drive up to the shop and not be in the red route - but as soon as you drive off you would be in it."

"Then they did away with any parking round the back of the shop, so we have to rely on people turning up in taxis or on foot. The parking is terrible."

"They also did away with the market stalls, which were always a help to the shop. Pie and mash shops have always been near markets and so that was another nail in the coffin. The whole area is changing; it's getting quite gentrified and we need to find ways to keep going."

Rick said he had not ruled out the idea of using a delivery service and would look to do so again in the future.

But until then, the business must find a way of reaching more people and needs to "move forward to survive", he said.

"We need to evolve in ways but not so much so that it detracts from what the business is all about and how it has been for the last 100 years," he said. "If I can reach more people then that would be a good thing."

Manze's boast their own delivery service to the entire UK. Visit their website for details.

Courtesy of Southwark News



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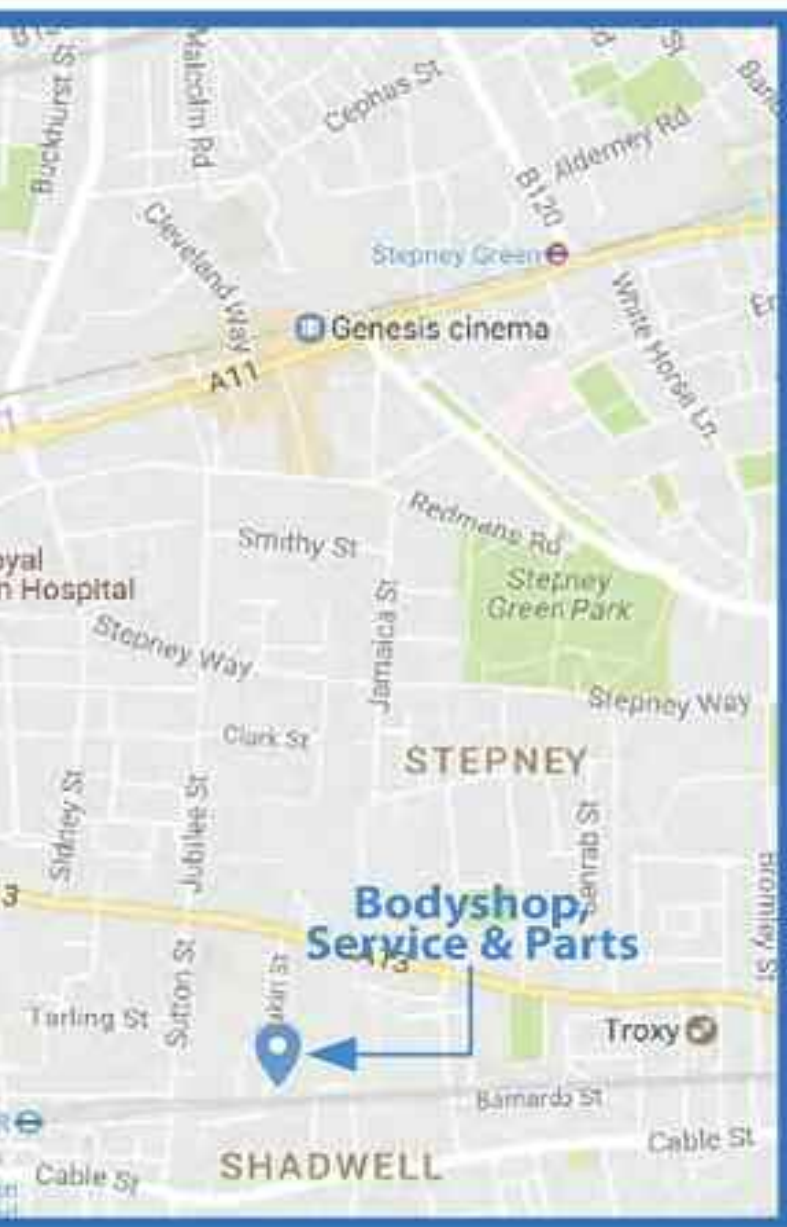
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- **CAB TRADE ADVICE**
All members can call the office for any information or up to the date news on any trade related subject.
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And are always working hard to protect our future.
- **CAB TRADE REPRESENTATION**
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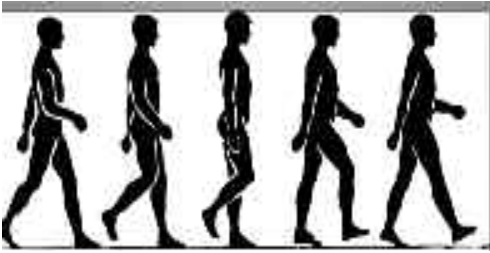
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Walker on the March...

KIPPERS FOR TEA

So how are you finding the start of the kipper season? January is always bad and we expect it to be bad, but this bad?

My personal experience is to see my January takings reduced by 40% against January 2013. Why is this?

IS UBER AFFECTING YOUR BUSINESS?

That a question many of my customers ask me. My stock answer is "yes, but not for the reasons you think".

Those that are interested ask me to go on and I explain that the reasons are two-fold. First, Uber offer a pseudo-taxi service. This means they can operate outside of taxi regulations which allow them to offer cheaper fares.

Secondly, and more importantly, they have caused an over-supply in the taxi/PH industry. Apps and lax enforcement have allowed the PH trade to operate much more closely to the way in which taxis operate. As such, the combined numbers are more relevant than the numbers for each service.

In 2008, there was roughly 25,000 taxi and 58,000 PH drivers. On the 15th January this year, there were 24,617 taxi and 117,568 PH drivers licensed. Thus, the supply of drivers has increase by a huge 71% in just under nine years. The number of PH drivers has more than doubled, while taxi driver numbers have fallen.

This is the Uber effect, caused by the "externalisation" of the costs of the business.

WHAT IS THIS "EXTERNALISATION" COBBLERS?

Let me explain. The way businesses usually run, whether it a huge company like Tesco's or you running your cab, is to set prices that cover all costs of the business plus a reasonable amount of profit.

In the case of a private hire operation, this will include all the operator and driver costs. While the driver costs fall to the driver, a traditional operator has to be aware of those costs. An operator like Addison Lee (AL) charges the driver for their services and also the supply the car, insurance, etc. They reclaim the costs from the work the driver does through them.

As a result, they have a vested interest in the driver being able to earn enough to meet his/her costs and have a reasonable wage/profit at the end of it. This means that AL must be conscious of how both the price of the journey and the size of the fleet will affect the driver's income.

Uber doesn't have to do this because they operate differently. They do not get involved at all in the driver costs. They



get their 25% cut of every fare and have no concern about whichever driver covers the work.

Consequently, Uber do not have to consider the size of their fleet in terms of whether or not drivers can earn enough.

Their priority becomes how low they can get their response times down to. It's all about how quickly they can deliver the car to the customer from the time the customer taps the app. At the time of the recent PH consultation, they had it down to just over three minutes response time.

The only way they can do this is to create a permanent over-supply of vehicles. They don't have to worry about driver costs or driver earnings. They don't have to worry about other costs in relation to traffic congestion and pollution caused by 1000s of empty cars driving aimlessly along the streets or causing massive parking problems.

TFL MISSED A TRICK

Former mayor Johnson is on record in saying that PH driver numbers needed to be controlled but to do so would require an act of parliament that central government were not interested in putting up.

Sir Peter Hendy, former head of TFL transport said the same thing. TPH have said the same thing. They all claim to want to limit PH driver numbers but claim an inability to do so.

As recently as our last AGM, Peter Blake, top dog at TPH, claimed that if he made it harder to obtain a PH licence by introducing conditions as barriers to entry, they would be defeated in court.

Well, he's wrong, as were all the others. They missed a trick when they

refused to put in a five minute minimum response time between the order and delivery of a PHV. At the time it was claimed that it endangered public safety by making passengers wait on the street, perhaps needlessly, for five minutes.

They got it wrong as passengers should not be waiting on the street. That's what they do when they want a taxi off the street, not when they want to "pre-book" a car. They should be waiting in their home, restaurant, bar, workplace, etc, until their car or pre-booked taxi arrives.

Public safety is being increased by encouraging passengers to come onto the street to "pre-book" a car and then wait for its arrival.

What this "five minute rule" (10 minutes would be better) would do is to take away any incentive for Uber to over-supply the market as they currently do. They can already supply a car in three minutes so they have no need increase the fleet size if five minutes is the minimum they can supply a car.

TFL are apparently aware of the parking havoc that PHVs are causing in Central London and at Heathrow Airport. They surely must be aware of the number of accidents being caused by PHVs. They possibly have not realised the extent of the pollution problem PHVs are causing because they may consider that as many of them are Prius's, they are not polluting that much. Like the rickshaw's though, although a Prius may not be polluting, the reduction they are causing in road space and for no good reason, is causing secondary road pollution.

TFL should revisit the "five minute rule". It would do the travelling public no harm at all if the PHV fleet were limited or even reduced by 25%. It would certainly help the existing PHV drivers and may even save the London Taxi from being consigned to the past.

LICENCE RENEWAL

I believe that the Uber PHO licence is up for renewal this Spring. These are a few things that TFL should take into account before renewing this licence.

USE OF A METERED FARE

The courts didn't simply rule that Uber were not using a meter. The judge said that new legislation was needed because current legislation did not allow him to judge the iPhone as a meter. Sir Peter Hendy admitted that TPH were not aware of the way Uber intended to calculate fares before their licence had been granted.

The intention of the law is that taxis use a metered fare and PH use a predetermined method. A taxi fare is calculated by a combination of a fixed hiring charge plus a combination of a charge on both time and distance. Uber use exactly the same method as a taxi.

Although this may not be technically illegal, it runs contrary to the intention of the law.

PRE-BOOKING

Uber do not "pre-book" in the accepted sense of the word. They engage in e hailing. They do not accept genuine advance bookings (the main purpose of PH).

The passenger looks for a cab, hails it and off they go. This applies to an Uber car as much as it does a taxi. The only difference is the passenger on the street looks at real vehicles whereas the Uber passenger stands on the street and looks at a phone.

Again, while not technically illegal, it runs contrary to the intention of the PH Act, 1998.

PH DRIVERS

Uber are on record as saying that any contract is between the passenger and the driver and that Uber is not a transport provider.

The law states that the contract is between the passenger and the operator.

Unless every individual Uber driver is also a PH operator, this business practice must surely run contrary to the law.

On top of this, the courts have rules that Uber drivers are technically employed rather than being self-employed. Although, this is expected to be appealed, should TFL be licensing an operator that is breaking the employment laws of this country?



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TFL flaws exposed... by Mark White

And then there were none...

The Jacobs Report - LCDC FEBRUARY 2017



On December 8th, 2016, Grant Davis and I attended the quarterly Licensing and Compliance Meeting at 230, Blackfriars Rd, SE1, during which Lilli Matson and her two colleagues gave a presentation on ULEZ.

After the meeting, an email was sent to Lilli Matson, TfL's Head of Strategy and Outcome Planning.

Dear Lilli,

During the recent TPH Licensing Meeting, your colleagues, Sam & Oliver gave Taxi Trade Reps a presentation on TfL's plans for ULEZ that was extremely unconvincing. Towards the end of the meeting I emailed everyone the Jacob's Report a.k.a The Ultra Low Emission Zone Integrated Impact Assessment (Economic and Business Impact Assessment) from October 2014 which you all denied was current TPH Policy.

It may not be policy now to drop the age limit from 15 years to 10, but it has obviously shaped certain previous policies and should have served as a warning to anyone reading it. Are you honestly saying that you and your colleagues have no knowledge of the contents or the implications for the Cab Trade?

We've had the impact of Über on the taxi trade for over two years, now, since this report was written. The data used is even older and I would think extremely unreliable. It's quite clear that almost 120,000 PHV's all converging on Central London, and encouraged by the PH Operator Über to cluster around major transport hubs and Terminals, mainly parked illegally, does nothing to help congestion.

In fact, it's doing everything to harm the traffic flow causing people to avoid taking a bus or getting a taxi and forcing them onto an already over-crowded Tube system. One must first reduce car ownership and usage before building up a fleet of vehicles to replace it.

What TFL have done is allow PH Licences to explode into the taxi market by stealth and then apply market forces to be used in the taxi market for the very first time, exploiting a weak regulator who still expects high standards from the present incumbents. It's not a level playing field and the regulator was, according to the Tories in the Assembly, 'an absentee' one. The ironic thing is, the previous Mayor and regulator was a Conservative one!
'TfL has consistently been charged



Lilli Matson, TfL's Head of Strategy and Outcome Planning

with being an absentee regulator.' Section 3.
<http://glaconservatives.co.uk/wp-content/uploads/2015/12/saving-an-icon.pdf>

Lilli, despite Silka Kennedy Todd's protestations that these concerns have been addressed in correspondence and meetings, that is simply untrue. I intend to print this email in our Trade newspaper, The Badge, which we also send to a number of London Assembly Members and MP's. It will also go to the TfL Board in due course.

As of yet, we have had no reply to our concerns. We'd very much like a response from TfL and some chronological data of your plans for the implementation of infrastructure, and how Taxi Drivers will be able to afford to purchase a vehicle which is expected to cost in the region of £50-60,000 with a grant, on average of £7,500 but possibly up to £12,500.

Quite frankly, and excuse my plain speaking, but based on your presentations, your plans are laughable!

Your policies have brought London to a standstill and our Trade has

been decimated. Speeds across London are slower than a Horse & Cart and I'm constantly apologising to customers about the congestion you have created at Midnight!

Prior to the meeting, I asked you to justify TfL's Wheelchair Accessible Vehicle policy. Instead of replying to me, you passed my correspondence back to Silka, like an irritated elephant would swat a fly. One of the direct consequences of your policies will be the death of the WCA Taxi. Do you realise that?

Please do not do disregard this email. I expect you and your colleagues to show my colleagues and I some courtesy and respect when we ask you to justify the policies that affect our businesses.

The bigger picture here, is that we are amongst the worst affected by the pollution and congestion that we sit in. Its affecting all of our Members, who are dying prematurely and suffering health risks.

I look forward to a prompt reply. We go to print in mid-January.

Yours sincerely,

Mark White (LCDC)

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United trade groups agree tariff proposals

TFL instructed a consultancy firm, SYSTRA, to carry out a review of the Taxi Tariff and Cost index last Autumn. The result of this was published last month. As a result, TFL called a meeting with the trade on 23rd January to discuss the proposals.

The driver organisations – LTDA, Unite, LCDC, RMT, UCG and HATDU – met in two emergency meetings to discuss the TFL proposals.

The situation is on –going at the moment but this is the current position.

The proposals TFL have put forward are as follows:

Increase flag fall to £3.00.
Leave Rates 1 and 2 unchanged;
Reduce R3 (night rate) from £3.96 per mile to

£3.50 per mile;

Extend R4 (the change-over rate) to 12 miles in actual distance before kicking in (currently 6 miles);

Remove the “social cost” item from the Index and replace with a “knowledge” cost item;

Separate from these changes, to apply the usual tariff uplift as a result of increases in the Cost

index are currently 3.9%.

The driver group unanimously rejected the TFL proposals on the following grounds:

The SYSTRA document is unreliable as no real fare data had been used and instead relied upon passenger and driver surveys.

The ZEC taxi is coming to market this Autumn. As a result, a review of the Cost

Index will be required and it makes no sense to alter the tariff/Cost Index this year and so any changes should be deferred until the costs of the ZEC taxi are established.

The trade group have put alternative proposals to TFL:

No change to the flag fall.
No change to rates 3 and 4.

The 3.9% (current) uplift

in the tariff should be wholly applied to R1 and R2 but only on fares up to six miles.

To consider removing the “social cost” item in the cost index alongside the inclusion of a “network” cost item to cover the costs of providing card payment facilities and to improve the way the “fuel” cost is arrived at.

By the time this edition goes to print, the trade will have met with TFL again to discuss the proposals and counter-proposals and we will endeavour to keep drivers up to date with any outcome.

It has been a very welcome experience to find all six driver groups acting together in a spirit of unity and finding a position that every group is in agreement with.







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London Mayor joins thousands on anti-Trump protest



The Mayor of London recently attended a march in the Capital against Donald Trump and in support of

Womans rights, whilst this may be seen by many as a worthy cause, I would like to remind him that his refusal to

instigate a public enquiry against the UBER licence, whose drivers have a long and unsavory record against

women passengers, to be honest, is pathetic. Mayor, Londoners deserve Substance, not spin and selfies.

I respectfully remind him, as Mayor of London, his first obligation is to ensure the safety of Londoners.



Adam D. Elliott

Vincent House,
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