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Issue 262 September 2018



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Contributions for publication are welcomed and should be sent to the Editor at the above address.

The London Cab Drivers' Club Ltd.

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## TFL SILENCE SPEAKS VOLUMES

The controversy surrounding the Magistrate Emma Arbuthnot, who presided over the two court cases involving UBER, rumbles on.

In this edition of the Badge, we publish the two letters we have written and submitted to both the Mayor and Mike Brown and the Lord Chief justice Burnett.

After the revelations exposed in the Guardian regarding the conflict of interest with her husband's business activities involving UBER, Magistrate Emma Arbuthnot announced she was "stepping aside" from hearing any further UBER cases.

One would have thought that TfL would be up in arms and demanding a Judicial Review of the case. Nothing so far...

Are we surprised? Not really, as anyone who attended the court hearing would have witnessed a "love in" with the two opposing Barristers - it seemed certain there would be only one outcome, which duly transpired.

The only outcome the Cab trade needs is a Retrial, no more, no less.

### STATE OF THE TRADE

On page 28 you can see that another long serving service to the cab trade has bitten the dust and gone into administration, the DaC credit union.

This follows the selling of the Dial a Cab circuit for £1 several months ago.

If these events do not ring alarm bells with drivers, then their heads must be so far in the sand, nothing will.

Make no mistake we are in the throws of fighting for our very existence, KOL numbers down, cabs coming off the road in record numbers, older drivers leaving the trade.

### **#FAKENEWS**

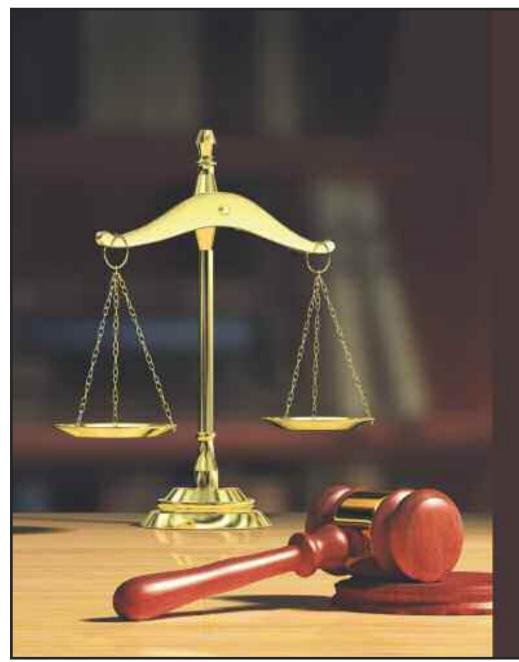
Anyone who has read the latest front page of TAXI newspaper regarding Electric Vito taxis in London, beware.

Our sources tell us this is a total fabrication and maybe should have been published on 1st April.

Grant Davis LCDC Chairman







### PAYTON'S SOLICITORS

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We at the LCDC don't often bang our own drum when it comes to helping our members with their legal troubles. A lot of the cases which come our way with members are quite sensitive and we respect their wishes to keep things in house and out of the paper which I can fully appreciate.

However, not only do Payton's Solicitors offer our members a 24 Hour Duty Solicitor 365 days a year, but since getting involved with the Club, our solicitor Keima Payton has the distinction of having a 100% success rate in all her cases which she has handled on behalf of the Club's members.

Keima Payton has a fearsome reputation in court and should ever the need arise you will find no one better able to fight your corner and save your Badge than Keima.

- Grant Davis, LCDC Chairman

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# JUDGE IN UBER'S LONDON LEGAL BATTLE STEPS ASIDE OVER HUSBAND'S LINKS TO FIRM

# LCDC writes to Mayor and TfL boss, demanding they seek retrial in Uber licence hearings

Mr Mike Brown Commissioner of Transport for London Windsor House 50 Victoria Street London SW1H



**21st August 2018** 

Dear Commissioner,

I am writing to you in the light of the recent revelations made in the Observer newspaper, regarding chief magistrate Emma Arbuthnot and her husband's business interests, and her subsequent decision to step down from any future Uber-related cases to avoid any perceived conflict of interest.

I enclose a copy of the LCDC's letter to the Lord Chief Justice, highlighting our opinion that previous decisions made by Judge Arbuthnot should fall within this same category of perceived conflict of interest, and our appeal that these previous arbitrations should now be reconsidered. Indeed, the judiciary itself has said that it will: "have to consider whether the new information could be seen to change the perception of absolute impartiality."

We will be highlighting our call for retrials in our upcoming edition of the Badge and would like to inform our readers as to the position of TfL over Judge Arbuthnot's decision – and specifically where TfL stands on previous Uber arbitrations made by the chief magistrate. We hope and believe that TfL will share the trade's deep concern over this matter.

I would be grateful if you could reply urgently, to clarify what action TfL plans to take and whether you will support the LCDC's call for retrials in previous Uber-related cases. I have sent a hard copy of this by post but wanted to register our inquiry with you as speedily as possible, to ensure that your response is included for our readers in the next Badge.

I look forward to your reply.

Yours sincerely,

Grant Davis Chairman

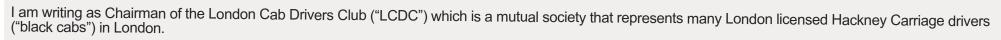
# LCDC WRITES TO LORD CHIEF JUSTICE **OVER UBER HEARINGS FIASCO**

The Rt Hon Lord Burnett Lord Chief Justice of England and Wales **Royal Courts of Justice** Strand **London WC2A 2LL** 

**21st August 2018** 

### Senior District Judge Arbuthnot

Dear Lord Chief Justice.



On the 18th August a story was published in The Guardian newspaper which was also published online (https://www.theguardian.com/technology/2018/aug/18/uber-judge-steps-aside) which informed their readership that the Chief Magistrate, District Judge Emma Arbuthnot, was "stepping aside" from hearing further Uber hearings, to avoid any perceived conflict of interest, as a result of her husband, Baron Arbuthnot (Cons: Wanstead & Woodford), being a fee earning "Senior Consultant" (and former Director) of SC Strategy which is known to represent the interests of the Qatar Investment Authority (QIA), which in turn is a major Uber and therefore "ULL" investor.

It is clear that between 30th April 2018 when the "ULL" appeal began at Westminster Magistrates Court and the 26th June 2018 when the ruling was delivered, that TFL were not aware of the potential conflict of interest in having the Chief Magistrate determine the issue of "ULL" s fitness to operate. In this ruling the Chief Magistrate handed "ULL" a 15 month lifeline, without which they would have been unable to run their business in London.

Indeed, it is understood that prior to this link having been disclosed by journalists for The Guardian, the Chief Magistrate had already taken a keen interest in "LUL" (and Uber cases), having ruled in favour (again) on another case and having had 5 other cases, which featured "ULL" or Uber issues reserved to herself (including one in Brighton, which after having the conflict pointed out to her, she immediately passed to a fellow Judge).

Whilst we are heartened that the Chief Magistrate has clearly formed the view that there is likely to be a perception of impartiality because of her husband's links to the mysterious SC Strategy Ltd (a company established by Lord Carlile along with Sir John Scarlett in 2012, which invited Baron Arbuthnot to be a Director in January 2017), it is disappointing that a review of her role in the appeal TFL v ULL has not been considered.

SC Strategy Ltd is described as offering clients strategic advice on UK policy and regulation and paid out dividends to the Lord Calilie and Sir John Scarlett totalling £800,000 between 2012 and 2015. Indeed so little is known about this company that the only known client is QIA (the Qatar Sovereign Wealth Fund). Had there been many companies for which her husband was a director, it would be plausible that the Chief Magistrate (appointed in October 2016 after having been Deputy Chief Magistrate to Howard Riddle for the preceding 4 years) may know very little about his interests...

Unfortunately, Baron Arbuthnot has only been the Director of 4 companies, coincidentally 2 of these he shared a Directorship with Lord Calile; SC Strategy Ltd (01/01/16 – 31/12/17) and Astute Strategy Ltd (which he joined in May 2017). AS Ltd is an active (yet dormant) company. Of the remaining 2 he resigned from Vertic in November 2013 and whilst he remains a Director of Gusbourne PLC, this company manufactures English sparking wine, which is unlikely to be the sort of company where a conflict with her Judicial Office would be found.

You may feel that it is worthy of note that in an investigation by the Wall Street Journal on members of the House of Lord's interests, Lord Carlile said SC Strategy 'are not involved in lobbying at all, nor do we provide services in government relations,' adding 'we give strategic advice to entities and individuals on UK regulatory issues, on the structure and working of government, and how best to place themselves in the UK'. Confirming that Clients include the QIA and on this he says, 'we give advice to a sovereign wealth fund, which of course includes its subsidiaries according to need'.

### Thus, to summarise:

- Baron Arbuthnot, is a fee earning Consultant in SC Strategy Ltd (for which he was formerly a Director). SG Strategy Ltd.'s only known client is QIA.
- b.
- QIA is a major investor (perhaps to the tune of more than \$1 billion dollars) in Uber/ULL indeed, so major is the investment that it could well be C. considered a subsidiary of GIA.
  SG Strategy Ltd gives "strategic advice... on UK regulatory issues... and how to best place themselves in the UK" and
- d.
- e.
- his wife, who is the Chief Magistrate, apparently unaware of the link to Uber hears the appeal of TFL v ULL.

  The Appeal is successful and the Chief Magistrate grants an 18 month extension which permits ULL to operate in London (and QIA does not suffer

I am sure that you will be aware of the case of R v Sussex Justices, Ex parte McCarthy ([1924] 1 KB 256, [1923] All ER Rep 233) which is a leading case on the impartiality and recusal of Judges is famous for its precedence in establishing the principle that the mere appearance of bias is sufficient to overturn a judicial decision. It also brought into common parlance the oft-quoted aphorism "Not only must Justice be done; it must also be seen to be done". It is difficult to accept that The Guardian newspaper were the first to bring the connection to the Chief Magistrate with regard to her husbands business interests but that being said, if the mere appearance of bias is sufficient to overturn a judicial decision ought that not to be done in the appeal of TFL v ULL? I very much appreciate your time in reading this letter and look forward to your considered response.

Yours sincerely

**Grant Davis** Chairman



# WHY CAN'T UBER MAKE MONEY?

**LEN SHERMAN** 

By any measure, Uber's seven-year entrepreneurial journey has been extraordinary. No venture has ever raised more capital, grown as fast, operated more globally, reached as lofty a valuation — or lost as much money as Uber.

Last month, Uber reported a third-quarter loss of nearly \$1.5 billion, bringing its 2017 year-to-date red ink to \$3.2 billion. Losses of this magnitude are clearly not sustainable, and call for an explanation of why Uber has been unable to rein in ballooning costs and what it will need to do to survive, let alone prosper.

Much of the recent discourse on Uber has focused on the numerous unethical and possibly illegal corporate behaviors that continue to dog the company, six months after founder Travis Kalanick resigned as CEO. But while the reputational damage from Kalanick's win-at-all-costs ethos has certainly not helped Uber's cause, it has masked a far deeper problem facing the company. Uber's elephant in the room is that its business model is fundamentally broken. To understand why, it is useful to assess Uber's business model in the context of the history of the taxi industry.

Shortly after launching an apphailing black car limo service in San Francisco in 2010, Uber founders Garrett Camp and Travis Kalanick recognized the potential to disrupt the \$100 billion global taxi industry. After all, this heavily regulated sector had seen little innovation over the prior century, leaving customers to cope with an expensive, inconvenient service that rarely seemed available when most needed. Enter Uber, who incorporated widely available technologies - GPS, Google Maps and mobile computing – into a well-designed app to create a customer pleasing, smartphone-enabled urban transportation service.

Not only did Uber offer enhanced urban mobility, but it was usually cheaper and more convenient than taxis as well. Ride hailing and payment processing were fully automated and Uber was priced well below (30% or more) comparable taxi services. With better/faster/cheaper service, Uber became an immediate hit with consumers, emboldening

the company to expand rapidly. To recruit drivers in Uber's twosided market, Uber promised high pay and flexible working hours as a compelling value proposition to independent contractors looking to supplement their income.

Venture capitalists were enthralled with the bold ambition of Uber's disruptive business model, and eagerly jockeyed for the right to invest in the growing, if unprofitable enterprise. Uber raised a record-setting \$11.5 billion through 18 funding rounds, ultimately valuing the company at \$68 billion. Flush with cash,

experienced during its preregulatory era.

In historical context, Uber's extraordinary losses are thus not just a case of growing pains of an ambitious Silicon Valley startup, but a reflection of the deep structural deficiencies in ride-hail industry economics. Prior to artificial regulatory supply caps, the unregulated taxi industry was unprofitable and subject to growing concerns over negative externalities. Uber is now facing the same relentless drag on its

Supporters of Uber's unfulfilled potential often point to Uber's

retaining 25% of gross bookings for itself, Uber has squeezed the revenues available to compensate drivers, who are ultimately responsible for providing the labor, equipment, maintenance, insurance and fuel to serve consumers. There is nothing in Uber's business model that promises to reduce the factor costs of its ridesharing service, nor are there inherent economies of scale that would lower unit operating costs with continued growth.

This leads to an inherent conflict between the business objectives of Uber and its

competitor, Lyft.

There are two possible remedies to improve driver compensation, but both alternatives would undoubtedly harm Uber's already tenuous economics. Uber could raise fares at its current revenue sharing split, or increase the driver share of gross revenues.

Given the structural characteristics of the ride share industry – limited perceived product differentiation, fare transparency, low consumer switching costs and loyalty, and intense competition- Uber has been understandably reluctant to unilaterally raise fares. In fact, Uber and Lyft have been engaged in a race to the bottom on fare cutting and price promotions, reminiscent of the pre-regulatory taxi industry of yore. But urban transport demand isn't elastic, so ridesharing price cuts have harmed driver compensation, which was the issue at the heart of the heated argument between Travis Kalanick and an Uber driver last year, that became a viral media sensation.

As for raising drivers' revenue share, Uber and its drivers are locked in a zero sum game that leaves little room for generosity on either side. In fact, Uber's temporary profit margin improvement in 2016 (albeit still yielding steep losses) was primarily driven by its decision to cut driver compensation rates.

From its inception, Uber has consistently favored consumer satisfaction over driver welfare for example, evidenced by its longstanding reluctance to allow in in-app tipping, which even now is poorly executed which has taken a heavy toll on driver satisfaction and retention.

From the beginning, Uber made a calculated bet that it could achieve global domination, wiping out both incumbent taxi companies and competing shared ride providers, to be able to exercise monopoly pricing power in hundreds of metropolitan markets. But it now appears Uber has lost this bet in its headlong rush into an industry that has historically exhibited low profit potential.

Uber is hardly alone in its sisyphean quest for profitability. Every major ridesharing company in the world is still experiencing steep losses after five or more years of operation, including Lyft (U.S.), Ola (India), 99 (Brazil), and Didi Chuxing (China).



In historical context, Uber's extraordinary losses are thus not just a case of growing pains of an ambitious Silicon Valley startup, but a reflection of the deep structural deficiencies in ride-hail industry economics.

Uber raced to launch operations in 737 cities across 84 countries, delivering over 5 billion rides as of this writing.

There's a lot to like in this story, except for one thing. The taxi industry that Uber is seeking to disrupt was never profitable when allowed to expand in unregulated markets, reflecting the industry's low barriers to entry, high variable costs, low economies of scale and intense price competition and Uber's current business model doesn't fundamentally change these structural industry characteristics. It is indeed ironic that Uber's fierce determination to avoid regulatory oversight condemns the company to unprofitable operations that the taxi industry

first mover advantage, strong network effects, asset-light business model, continued revenue growth and adjacent business expansion opportunities as reasons to expect a near-term turnaround. But none of these factors reverse the fundamental weaknesses in Uber's business model

While Uber's business model has created enormous value for consumers, propelling the company's rapid growth, its extremely aggressive pricing simply doesn't generate enough revenue to deliver attractive compensation to drivers and sizable profits to shareholders. By pricing its services 30% or more below comparable taxi fares and then

drivers. Uber's revenues are directly proportional to the number of trips it can facilitate, and thus the company has strong incentives to continuously scale its business. Drivers of course want to maximize their revenue per hour worked. But as Uber continues to recruit drivers, the revenue potential per driver inevitably declines. As the highest revenue-generating neighborhoods become increasingly saturated, new drivers are forced to seek less attractive service territories to find customers.

These business model dynamics underscore the bleak earnings outlook for Uber drivers. A recent study found that Uber's net driver compensation in three US major metropolitan areas in late 2015 was only \$8.77 – \$13.17 per hour, and this was before Über instituted significant fare cuts in 2016. Uber's low and declining pay has been a leading cause of Uber's low driver satisfaction and growing turnover, both in absolute terms E BUY ALL CASH PAID



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# Alan's Angle



# CS11 improvements to Swiss Cottage gyratory delayed after Westminster Council wins permission for judicial review

Cyclists have reacted with anger after Cycle Superhighway 11 (CS11) improvements at the Swiss Cottage gyratory were delayed by Westminster Council.

Initially unveiled while Boris Johnson was Mayor of London, work on the project had been due to begin on Monday. When it emerged that Westminster Council was seeking a judicial review last month, it was accused by campaigners of putting political motivations ahead of people's safety.

Swiss Cottage is actually in the neighbouring London Borough of Camden, but a spokeswoman for Westminster Council explaining that its residents were "overwhelmingly opposed" to the proposals and had "raised concerns about the impact of traffic displacement on congestion and air quality in the streets adjacent to the proposed route."

She said: "We have been in discussions over the last two years with TfL (Transport for London) about residents' concerns but, despite assurances, we have yet to receive any further information about the wider impacts of the scheme and how these may be mitigated."

She added: "As TfL is starting to proceed with the Swiss Cottage section without our support for

the scheme as a whole, we have been left with no choice but to back our residents and to legally challenge the scheme." Two years ago a consultation found 60 per cent supported the plans, which also included closing gates at Regents Park to motor vehicles for 20 hours each day.

In January, London's former cycling commissioner, Andrew Gilligan, declared CS11 "dead" in response to watered down plans in which only two gates to Regent's Park would be shut to motorists and only for shorter hours.

Construction on the Swiss Cottage gyratory element had been due to start on Monday, but The London Evening Standard (link is external) reports that Mr Justice Holgate yesterday imposed a ban until a full hearing on September 6. A spokesman for the Mayor of London Sadig Khan said: "We are disappointed that Westminster council have gone to court to oppose our plans, and we will do everything we can to deliver these critical safety improvements as quickly as possible.

Simon Munk, of London Cycling Campaign, said: "So, as a woman fights for her life following a collision at one dangerous junction, where work has been delayed for years, comes news that City of Westminster are delaying



much-needed work at another dangerous junction. Truly shameful behaviour."
Justin McKie, of Regent's Park Cyclists, said: "It's utterly shameful that while a young woman fights for her life after being brutally run over by a cement truck at another dangerous roundabout this week, pro-car lobbyists from

NW3 (Hampstead) are celebrating the stay of execution for another appallingly dangerous junction. "Swiss Cottage gyratory is not even within Westminster borough, so their ongoing campaign against cycling and healthier streets has genuinely reached a new low. "They continue to play Sadiq

out of their cars.
With a backdrop of this week's pollution warnings in London, it's sad to think that Councillor Nickie Aiken (Westminster council leader) must be wheezing with delight at this cycling setback."

Khan, outmanoeuvring him

politically on any project which

attempts to encourage people

## Petrol and diesel car ban in Hackney and Islington

Petrol and diesel cars will be banned from nine roads in east London in a bid to tackle toxic air.

Drivers will receive a £130 penalty if they use anything other than electric or hybrid models in areas of Hackney and Islington between 7am-10am and 4pm-7pm on weekdays.

The measures, to be introduced on September 3, are the toughest restrictions yet on polluting vehicles in the capital.

Mayor Sadiq Khan's central London "toxicity charge" for drivers of older petrol and diesel vehicles is currently £10 per day.

The affected roads under the new scheme are Blackall Street, Cowper Street, Paul Street, Tabernacle Street, Ravey Street, Singer Street, Willow Street, Charlotte Road and Rivington Street.

UK taken to highest court in Europe over breached air pollution limits

Islington Green Party councillor and London Assembly member Caroline Russell said: "Islington and Hackney have seized the opportunity to give people a really strong message about taking pollution seriously and to show the scale of London's health emergency."

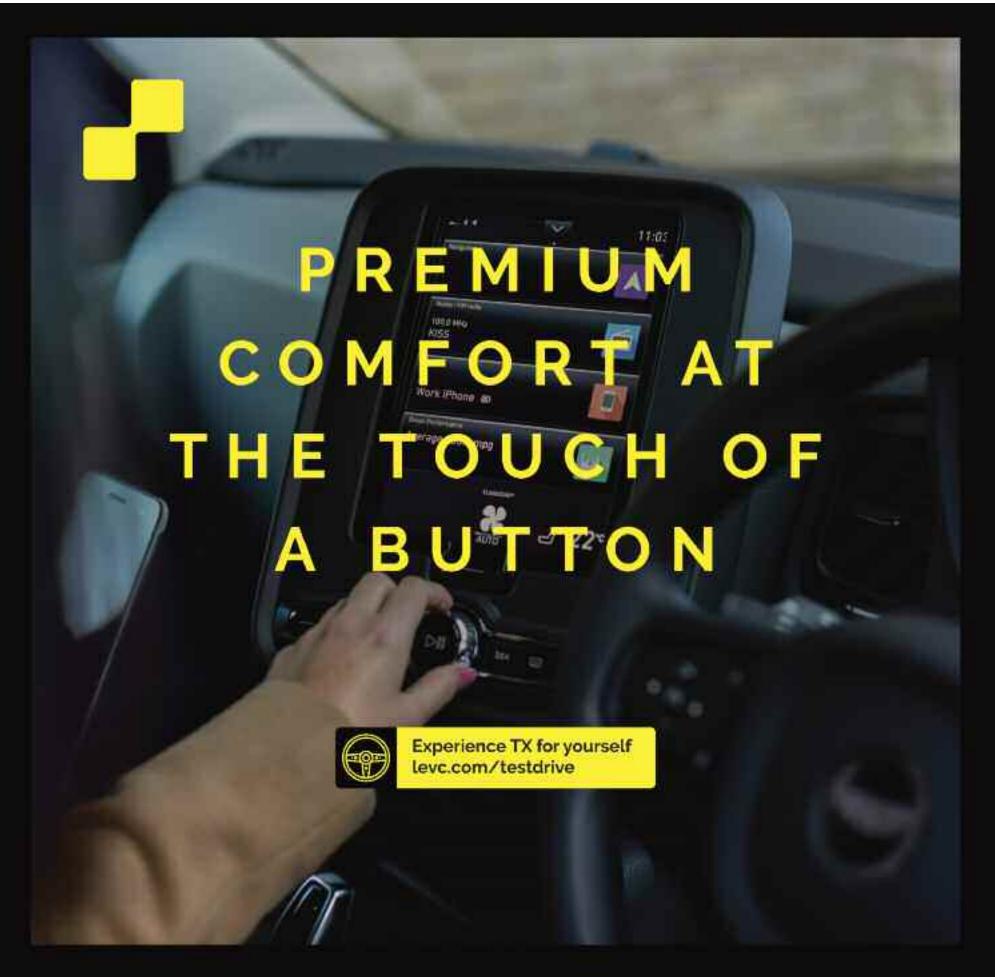
The City of London Corporation will launch a similar trial in April, limiting access to Moor Lane, near Moorgate, to ultra-low emission vehicles. It came as a new medical report said Londoners could live longer if toxic air is slashed.

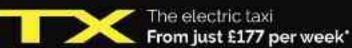
The EU legal limit for nitrogen dioxide is an annual average of 40 micrograms per cubic metre of air but this was breached at more than 50 monitoring sites in London last year.

In a new report today, the Committee on the Medical Effects of Air Pollutants found that for every microgram per metre cubed reduction in NO2, around 420,000 to 903,000 life years could be saved over the next 106 years.

This equates to an average increase in life expectancy of between two and five days for each microgram per metre cubed — or several weeks for a significant drop in pollution.

Courtesy of Evening Standard









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### MAYOR'S TRANSPORT HEADACHE IS REVENUE BLACK HOLE

A week ago Sadiq Khan was formally told that Crossrail, the most prestigious transport scheme of his generation, was running late on his watch. The 11th-hour postponement of the royal opening, until 2019, was a shock to commuters, companies and homeowners who were banking on the scheme arriving on schedule this year.

A "national embarrassment" was the verdict of business leaders. Labour peer Lord Adonis, a former transport secretary, questioned whether the project had had the necessary oversight.

The timing could hardly be worse for a Mayor who is holding on to a cat's cradle of financial difficulties that will be exacerbated by the loss of Crossrail ticket revenues and a rise in construction costs. Transport for London, the authority he chairs, is suffering from falling passenger numbers, government funding being slashed and the uncertainty of Brexit.

In spring this year, TfL forecast a thumping deficit of almost £1 billion, up from £458 million in his first year in office, 2016/17. The financial bind is made worse by Mr Khan's own flagship pledge to freeze fares, which sucked £640 million from revenues, and by the loss of £700 million in subsidy this year under government cutbacks. Mike Brown, the Transport for London commissioner, has also taken issue with the fact that not a penny of the £500 million paid in vehicle excise duty by London motorists is spent on the capital's roads.

"That is nuts, it's absolutely insane," a frustrated Mr Brown told an audience of 200 industry leaders earlier this summer. He added, "It's neither sustainable nor fair," referring to the "ludicrous situation" where Tube and bus passengers were effectively subsidising, through their fares, repairs to London's major road network.

major road network.
The numbers are indeed bleak.
TfL's overall income was down
£189 million, three per cent
below budget. Tube fares were
£121 million below budget, and
£37 million lower than the
previous year. Bus fares were
down £21 million (but £17
million ahead of budget). Rail
income was up £4 million, but
£34 million below budget.
Passenger journeys across the
network were down — the
second successive annual
decline. There were 21 million

fewer Tube journeys (though TfL admits rush-hour services were as crowded as ever) and 15 million fewer bus trips.

TfL aims to eliminate the deficit, currently £968 million, by 2021 through efficiencies. But transport is the field where the Mayor's decisions directly affect more people than any other and every saving is painful and risks a backlash.

A review of bus services recently leaked out, revealing some routes in central London are likely to be pruned back, with vehicles redirected to boost outer London services. This battle for cash, halfway

services. But investment in new Northern and Jubilee trains has been shelved. Potholes are going unrepaired. Bus services will be cut by seven per cent. After the Mayor axed the Metropolitan line extension from Croxley to Watford Junction earlier this year, the Government demanded the return of about £80 million in grants. The two sides are "in discussion", says TfL. He has kept a promise to cut the £383 million TfL spent on consultants and on agency staff, down by £175 million. But average headcount has fallen by just 137 out of an army of

by Mr Johnson over 10 years. But he has faced constant barbs from the cycling community. No new cycle superhighways have been built. Work has been limited to a northern extension of the north-south superhighway and a filling-in of gaps on the east-west superhighway near Buckingham Palace. The CS11 route that would link Swiss Cottage and Oxford Circus and the CŠ9 through Chiswick are delayed after sparking vociferous minority opposition. The Mini-Hollands initiative, which shared £100 million between Waltham Forest, Enfield and Kingston to create

as his deputy mayor for transport. Three weeks into the job, she declared an intention to "supercharge" the cycling programme and encourage more people out of their cars. She claimed it was "unfair" to criticise his record on cycling but promised much more was in store.

"I know that Sadig wants to supercharge the delivery of cycling infrastructure," Ms Alexander told the Standard. "I think if people see new cycling infrastructure it also acts as something of an impetus to start changing behaviour. This issue about our roads being safe and people feeling safe is really important." She said TfL's finances were "under control", adding: "The removal of the direct subsidy from government means that we are in a position where we have got to find new ways of funding the delivery of transport in London.

"Clearly if the Government don't get their act together and we get a bad Brexit, that could have potentially huge implications on the economy.

"Public transport usage doesn't exist in a vacuum. There is this big economic uncertainty that potentially Transport for London will be having to manage. A spokesman for the Mayor said the average household would save £200 over four years from the fares freeze and Hopper ticket. "Sadiq is investing record amounts in new transport infrastructure, while ensuring more affordable travel for millions of Londoners," he said. "This includes the Mayor's TfL fares freeze, and over 200 million bus journeys already benefiting from Sadiq's new Hopper fare. After annual fare rises and disruption under the previous Mayor, Sadiq has overseen a 65 per cent reduction in strike action on the Tube, improving journeys for commuters.

"While cutting year-on-year operating costs at TfL, the Mayor is both doubling London's investment in new cycling and walking infrastructure, and spending record amounts modernising London's Tube network.

"The Night Tube has surpassed all expectations since it launched in August 2016, with three million more journeys than expected, and night services now running on the London Overground."

This is an edited version of Ross Lydall's report for the Evening Standard



through Mr Khan's four-year term, is a core dilemma of his mayoralty. Almost three quarters of TfL's income comes from fares. What can be done to get the cash rolling back in to deliver on services and carve out a legacy? Boris Johnson. speaking among friends, has dubbed him "Sadiq Khan't". Some experts believe the only way to solve the problem is for Mr Khan to radically overhaul the congestion charge to bring in more cash and encourage more walking, cycling and riding on public transport. The idea is backed by the Centre for London think tank, which says the C-charge, introduced by Ken Livingstone in 2003, is "not fit for purpose".

Mr Khan's second challenge is to find £1 billion of savings and, third, to grow revenue from nontransport schemes, such as property. In his 2016 mayoral manifesto, Mr Khan made it sound easy. He would squeeze waste from an "inefficient and flabby" TfL without cutting

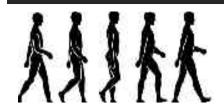
26,994 employees. Meanwhile, 617 TfL staff now earn £100,000 or more. Last year it paid a record £51.4 million in "golden goodbyes" to 704 departing executives, prompting Mr Khan to launch an investigation. On the roads, traffic speeds have continued to fall. The average daytime speed is 8 mph in central London and 17.6 mph across Greater London, partly due to the growth in Uber minicabs and vans delivering goods bought online. Šo Sadiq Khan, where are all those new homes you

He approved a new toll road under the Thames at Silvertown to ease dire congestion at the Blackwall tunnel — but which campaigners say will increase pollution.

No pledge has attracted more sniping than his vow to "make London a byword for cycling around the world". Mr Khan promised to spend an average of £169 million a year on cycling, beating the £913 million pledged

been replaced by the "liveable neighbourhoods fund", which offers only £10 million. A straw poll of 1,000 cyclists in June asked whether Mr Khan had made London safer to cycle in. Half answered "no". Danny Williams, who ran the poll on his Cyclists in the City Twitter page, said: "He's really bucked taking any decisions about bigger schemes so far.' Dr Rachel Aldred, a transport expert at the University of Westminster, welcomed the Mayor's "healthy streets" policy that seeks to reduce car dominance in boroughs such as Waltham Forest and Hackney. "But Londonwide, Sadiq's ambitions seem stymied high-profile walking and cycling schemes blocked or delayed, despite the high costs of failing to cut motor vehicle use across the capital," she said. One of Mr Khan's boldest moves could be the recent appointment of former Labour frontbench MP Heidi Alexander

walking and cycling areas, has



### POSSIBLY LONG-TERM FOES

Apps are currently vital to our trade. They spell trouble for street hailing in the longer term but for now, thanks to TFL, travellers can use an App to instantly hire a car if taxis choose not to offer this facility.

We cannot rely on the street alone and haven't done so for the last 60 years. Although Apps are relatively new, we have had "circuits" for that length of time and at their peak, the circuits had about 40% of the fleet signed up.

The old Hailo claimed to have had 60% of the fleet signed up before it committed suicide by accepting minicabs on their platform. However, it costs to sign up for a circuit whereas it costs nothing to sign up to an App. So, the old circuits were probably relied on by drivers by at least as much as the App today.

### THE LESSON THAT SHOULD **HAVE BEEN LEARNED**

There were contradictions in circuit operations that apply equally to current Apps. All the big circuits began as driver-owned operations. This meant more or less, that the objectives of the circuit were the same as the driver's.

However, as the circuits grew and aged, the driver lost control of the operation and the objectives of the two sides began to clash. The circuits' objectives became what benefitted the circuit itself rather than the driver subscriber.

### WHO CONTROLS THE APP

It would seem from the circuit experience that an App run by drivers, rather than independent operators, would be best for the driver subscriber. However, the driver-run operation is likely to be much weaker in the medium to long term.

It would appear on the evidence so far, that drivers cannot provide sufficient investment to establish even a medium term App operation. So, we are left with the large-scale operators if we want Apps; actually, we need Apps so there's no choice.

However, the one strength we could still develop is down to the fact that while we need the App, the App needs us.

So, if we cannot own the app, at the very least subscribers should create and support a "subscriber" group to represent subscribers to an App. If a single driver attempts to negotiate with the App provider at best he will be ignored and at worst, as some drivers have found out already, find himself summarily expelled and without appeal. If that same driver is the representative of 2,000 drivers, the App provider cannot ignore him and will have to negotiate with such a group similarly to trade union representation.

In any event, shouldn't alleged

# Walker on the March.

miscreants be judged, at least in part, by their peers rather than solely at the discretion of the App provider? This is a very important point. If we reach a stage where we all completely rely on the app, expulsion would effectively make a driver unemployed.

### WHO'S COMPETING WITH WHO?

Currently, the App providers are running roughshod over the driver. Frankly, they are taking the p\*\*s.

Let's take a look at MyTaxi, although they are no worse and possibly better than other providers.

For starters, let me ask you a

what they are doing. So, they have rules in place to keep you in your place if and when they destroy your . street work.

They have a rule that says if you have the App turned on and your meter isn't engaged, they can ping you a fare and you MUST accept it. This effectively means that you work for them, rather than they work for you.

In practice, once you get that ping, you work for MyTaxi, no matter what the legal situation may be. Well, do they pay you a minimum wage? How about holiday pay? Sick pay? A

compelled to do the job. So, if you refuse they can invoke their rules (and have already done so) and kick you off the App with no appeal.

### THE FUTURE

I cannot imagine how hard it is to earn a crust from the street alone, even now. As for the future, if the Apps destroy the street work you will be completely dependent on them. What would you do then? They would have every drivers subscribing and if any driver refused even a single fare, he could be instantly kicked off the App and be out of work. Not only that you



question. Who is MyTaxi's largest competitor? Hands up who said 'minicab apps"? OK, all of you go to the back of the class. You, the taxi driver are their biggest competitor. Well, not you per se because you are also a subscriber or potential subscriber. It's the work you pick up from the street. Their objective is to turn vour street work into App work and then sell it back to you for 10% of the fare, while you incur the extra expense of having to travel to the pickup and then wait for the passenger to come out, at your own expense.

To this end, the forerunner of MyTaxi,

Hailo, sent girls out to mainline stations handing out leaflets encouraging travelers to choose them instead of the taxi rank and offering money off the fare for doing so. Hailo actually stated in a press interview 'our competition is the street hail".

They are not even trying to compete directly with the likes of Addison Lee and Uber. Instead, they are using their subscribers to compete with those same subscribers to take the subscribers own work and then charge him 10% for handing it back.

### **RULES, RULES, RULES**

MyTaxi ain't stupid. They know that sooner or later you are going to twig

pension plan? Of course not. When it comes to employment

status, MyTaxi consider you a free agent. When it comes to covering work, MyTaxi consider that you work for them.

Then we have the situation of whether a fare is pre-booked or not. The terms of your licence say that you cannot accept a hail outside of your licensed area and to do so risks the loss of your licence. However, you are allowed to accept pre-booked fares outside of your licensed area.

So, it's your lucky day. You get a ping to pick up at Gatport Airwick going back into town. Sooper doper, you'll have your money by lunch-time today. Hang on though, is it legal? If it's a hail, you cannot legally accept the fare

but if it's pre-booked, you can.
Try asking MyTaxi which it is and see how you get on. It won't be very well. If you think trying to get TFL to enforce the PH Act is hard, that's child play compared to this. It would help our trade so much if MyTaxi would say, as this would apply to all other Apps, including Uber. They won't though.

So where does this leave you. If you do the job and get a tug from Old Bill at Gatwick, you could lose your licence if it turns out to be a hail. However, under the App rules, you are

would now be working for the App, but technically you would be self-employed. Therefore, you would have none of the protections of the employed and in the event of expulsion simply move from selfemployed to unemployed.

The solution must be for App subscribers to ask the trade organizations for help to establish subscriber organizations. There is no point asking the trade groups themselves to supply negotiation teams as currently, the App is a driver's personal choice. Therefore, while a trade organization could advise members, it cannot order them to subscribe or not.

As I said at the beginning, despite this potential long-term threat, we need the Apps because customers want to order taxis via App. Under the right conditions, every driver should subscribe to Mytaxi or an alternative App. Those conditions do not exist currently but, if we don't provide an App riders will order alternative transport by App.

What we must do though, is organize ourselves so that we co-operate and negotiate with App providers.

The alternative may otherwise be that in the medium to long term, they become our masters.

# TARIFF: LATE, LATE AND LATE AGAIN

Below you will find a letter e – mailed on behalf of the joint trade tariff group, complaining about the cavalier way the tariff is being treated with regard to increases and implementation. Basically, they are putting their hand in your pocket.

8 August 2018 Dear Helen and Dan,

We are writing to make a formal complaint in regard to how the taxi tariff has been applied and the tardiness of implementation. The Taxi Cost Index (TCI) has worked well for more than 30 years. It reflects cost increases over 12 months and adds national average wage inflation to produce a change (usually an increase) that is fair to taxi drivers and passengers alike. With regard to implementation, it has traditionally and consistently been applied at the beginning of April by present and past regulators. We quote TFL papers directly in regard of this which stated "Taxi fares are normally revised every April.....They normally change on the first Saturday of April but are sometimes deferred by a week when Easter falls on the first weekend of April."

TFL complied with these practices up until, and including, the 2014 increase. In 2015, due to a very small tariff change (0.1%), the change was deferred to 2016, with the approval of the trade. In 2016, the tariff change took place on the correct date but the TCI was manipulated. A combination of an insufficient award to cover drivers' total credit card costs and structural changes to the tariff, resulted in the tariff being reduced rather than

indicated. In 2017, the tariff change was introduced on 3 June rather than the correct date of 7 April. Thus, 25% of the increase indicated by the TCI was lost due to the tariff change.

increased by 1.6% as the TCI

When the trade group met with TFL in late 2017, we asked for this reduction to be taken into account in the 2018 increase and pointed out that there is a precedent for doing so since TFL took charge of regulation. This was refused. In 2018 the decline in standards continues. We expressed our serious concerns with the cavalier way TFL were treating the date of



the tariff revision. When we met TFL in April, it was already past the due date for implementation.

To date, we have no indication of when the 2018 increase will be implemented, although it is clear that it will be at least six months late. Considering that since the last review, fuel has increased by more than 20% and the price of a new taxi by approximately 40%, the 2018 review is out of date before it has been implemented.

We complained formally to Tom
Moody and Darren Crowson at that
last meeting and asked for the
award to be increased to cover the
tardy implementation and were
refused. We asked for a timetable of
procedure to be made available in
order that we could ascertain that
tariff changes would be made timely
in the future. We were informed that
not only would that not be possible
but were forewarned that due to

bureaucratic changes, the 2019 tariff change will be even later than 2018.

That being the case, over three years, more than half of the increases indicated by the TCI will be lost due to late implementation. Frankly, this is not good enough and taxi drivers should not be seeing their income reduced significantly, due to either the ineptitude and/or indifference of the regulator. We demand some form of recompense for this and a timetable

recompense for this and a timetable of events that ensures that all future tariff revisions will be implemented on their due date. We look forward to your response.

Yours Sincerely, The taxi trade tariff group (LTDA, Unite, LCDC, RMT, UCG, HUTG)

\_\_\_\_\_

Below you will find the response

received after three weeks.

Nada, zilch, nowt. That has been the response. Not even an acknowledgement of receipt of the complaint. That's the regard our regulator hold for us.

### STOP PRESS

Although we have received no notification to date, we have discovered that this caused an emergency meeting of the Finance Committee who approved the tariff increase to go ahead on Saturday 6 October. No sign of any compensatory addition though.



L.C.D.C LEADERS NOT FOLLOWERS Stop talking about it and JOIN!



# Taxi drivers take WWII heroes back to Arnhem

On 31st August 7
volunteer cab drivers
from the Taxi Charity for
Military Veterans boarded
the Harwich ferry bound
for the Hook of Holland.
They were taking
Airborne Division
survivors back to
Arnhem as part of the
Dutch people's annual
commemorations.

On arrival we were received by the British Ambassador to the Netherlands at his official residence and this set the scene for the whole trip. Wherever we went the veterans were given the warmest possible welcome. That evening we were visited by the region's Mayor and various other local dignitaries, all anxious to greet these elderly men.

The centrepiece of the visit was the Wandeltocht: this is a march held each year by the Dutch as an act of gratitude for the Airborne Regiment's bravery. This year 38,000 took part. Three of our group walked the full 25 miles, and two more completed the 15 mile section. Everywhere one looked there were Airborne flags flying – it was the most extraordinary experience and one to be strongly recommended.

The following day saw an emotionally charged visit to the cemetery at Oosterbeek. All our veterans had friends and colleagues lying there whom they remember year after year. Afterwards we toured Deelen airfield. This had been a German night fighter base and is now used by the Royal Dutch Airforce.

The honour paid to our veterans by the Dutch people is outstanding. The trip might have been small in numbers but the generosity of spirit was immeasurable. It was a wonderful experience for us all.

Frances Luczyc Wyhowska www.taxicharity.org













## LONDON'S FINEST JUMP WITH THE RED DEVILS

Last year in Normandy, four intrepid cab drivers and I agreed to do a tandem parachute jump with the Red Devils in aid of the Taxi Charity for Military Veterans. Subsequently two of the charity's collectors, (Mike Smith, a Chelsea Pensioner and Bill Parr, a Korean War veteran) decided to join our group, appropriately called Team Be Lucky. The aim was to raise at least £4,000 for the charity in this, its 70th anniversary year.

Mike was doing his 99th jump, and indeed is hoping to do his 100th on 18th September. Astonishing!!! The four cab drivers were Brian Heffernan, Dean Euseden, Michael Calvey (who is also hoping to jump again next month) and Jon Southcott, all of whom are staunch supporters of the charity. The jump took place at the Langar Airfield in Nottinghamshire on one of the hottest days of the year at the end of July.

Sitting in a bar in Normandy making this plan a year before was a very different feeling from actually being kitted out on the day and I think it is only fair to say that we all had our share of nerves. Fortunately everything went off without a hitch, (fortunate indeed as we jumped from 14,000 feet!) and we felt very proud of having seen the whole project through. Jon Cox kindly came up to film part of the proceedings and some of you may have seen excerpts on social media.

So far the £4,000 figure has been easily surpassed. Thank you to all who have already donated. If we could reach £7,000 that would be a fantastic achievement – the donate page doesn't close until 30th September and can be found by clicking on the link below Frances Luczyc Wyhowska, Vice President, Taxi Charity for Military Veterans, Charity Commission no. 264678

https://mydonate.bt.com/events/taxicharityskydive2018/454191

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Also we will attend the LTPH with you on any personal appeals that would affect your licence.

### **■ HEATHROW AIRPORT** REPRESENTATION

With our reps at the airport working

hard on the trade's behalf for a fairer, and more safer future at Heathrow.

#### ■ RANKS AND HIGHWAYS

The LCDC attend the Joint Ranks committee, working hard for more ranks and more access for the taxi trade in London.

#### **■ CAB TRADE ADVICE**

All members can call the office for any information or up to the date news on any trade related subject.

### ■ TRADE'S FUTURE

The Club worked tirelessly in bringing in the green & yellow identifiers to the taxi trade.

And are always working hard to protect our future.

### **■ CAB TRADE REPRESENTATION**

We are working hard to work with members of the GLA and also politicians to fight our corner against TFL and was a major influence in the recent future proof" document.

### **■ VEHICLE MANUFACTURERS**

The Club works alongside LTC and



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Signature:
Date:

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Telephone No: (with full STC code):
I agree to abide by the rules of the Club. I also agree that the above information will be kept by the LCDC in a computer system under the terms of the Data Protection Act.
I understand that I will not be eligible for legal representation for matters arising prior to the date of this application. Thereby declare that I have no outstanding PCO or police matters pending.

Signed: ...... Date: .....

# Cab Chat goes global.

This Month in the World of Cab Chat Radio Show...

Recently we submitted Cab Chat Radio show to iHeart Radio and Spotify. We were quickly approved by iHeart Radio although we cannot listen to our show here in the UK as iHeart is not available

Spotify was a little slower, we learnt shortly after submitting the show to Spofity that they had ceased reviewing podcasts for submission to their platform for the foreseeable future.

Spotify do not inform you as to whether your submission is successful or not so we had no idea when Cab Chat would get reviewed, it was only after a few months that we decided

to check if the show was on Spotify, and to our surprise there it was in all its glory.

Cab Chat is now one of the first UK based podcasts to be featured in Spotify.

### Cab Chat Pie & Mash Club

The Pie & Mash Club is going strong with the team visiting various establishments in and around London - some of the dates published in last month's Badge have been revised due to some shops being under the threat of closure.

For a full list of the Pie & Mash Shops the team will be visiting please check our website cabchat.london and come along and meet the



The Taxi Charity -Cab Chat Special

This month Mark Wakely, one of the Cab Chat Team, put together a show about the Taxi Charity for Military Veterans. In the program

Mark interviews Trustee's, Committee members and of course Veterans about the past, present and future events of the charity.

If you haven't yet heard the show you can find it on our website cabchat.london

### **Magical Taxi Tour to Disneyland Paris for Sick** Children

2018 marks the 25th Anniversary and this year's trip will be from Friday 28th September to Sunday 30th September 2018.

Three members of the Cab Chat team will be taking part in the trip this year.

All the drivers give their time free of charge to take the children on this trip of a lifetime and it really is a humbling experience.

Volunteers are needed to bring the catering staff into Canary Wharf in the early hours of Friday 28th September, these are the staff that prepare and serve the food at the Big Breakfast to all of the children, helpers and drivers before we head off to Disneyland.

If you can help please contact Silvi on 07956 596011

If you don't already listen to Cab Chat Radio Show then why not? You can find the show in ITunes, Spreaker, Mixcloud, Apple Podcasts, Stitcher Radio App, TuneIn Radio App, Spotify, IHeart Radio and of course on our verv own website www.cabchatshow.uk

If you do already listen, then thank you.



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Hosted by @SuperCabby and the Team

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# LCDC calls for minuted meetings

As readers of the Badge will know it has been a bug bear of the Club that no meetings we attend at TfL are properly minuted.

It is the accepted practice of most properly run organisations that the correct procedures are in place to ensure all parties in attendance have a bona fide record of what took place from all sides.

At last month's TAXI OPERATIONAL PERFORMANCE SEMINAR (TOPS) meeting, LCDC Rep, Danny Scarf once again brought up about minutes being recorded at all TFL / trade org meetings. This was strongly supported by the UCG and RMT, however, the LTDA & Unite showed great reluctance to support this at the time and did not give any reasons for not supporting us. Since then the trade groups have agreed to meet at Woodfield Rd to discuss this and other relevant trade topics.

It cannot be stressed enough that it is vital that these meetings are correctly minuted. A prime example why this is a must was the meeting that took place on 2nd September 2013 at TFL where we were invited to discuss the Surface Integration Programme, where LT&PH were looking to incorporate us under one directorate that also included, congestion charge, riverboats, Boris bikes and Dial a Ride. At the meeting, Steve Burton from TfL stated to us that "nothing was set in stone" .... and was a "working process" only to find to our horror that this policy was fully implemented on the 29th September. The result of this was that almost immediately some 65 staff were transferred straight away from dealing with taxi and PH to cover the other Departments. This was the reason that the licensing system ended up in meltdown, with drivers trying to renewal their licences and waiting more than three months and unable to work. Another example that springs to mind are the promises made during the ULEZ discussions regarding the installation of charge points for ZEC taxis. Once again, the Trade was

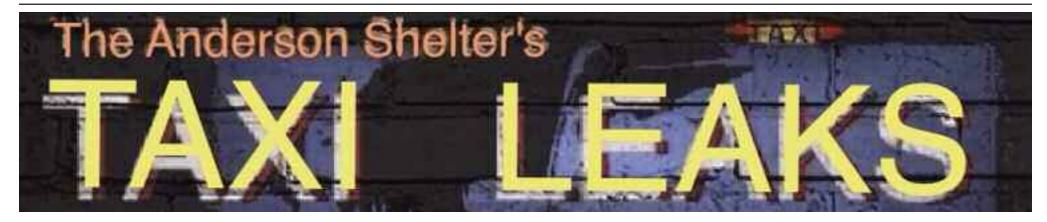


completely misled by the statemeent that we "would be tripping over charge points in the streets" as well as having a choice of up to five vehicles with ZEC capabilities.

At the last TOPs meeting in September, Danny Scarf asked if the numbers of compliance

officers had fallen. TfL admitted that the number of officers had fallen from 330 to 250 this year. Yet, when he asked the same question at the May TOPs meeting, he was told there was no change. Transport for London need to be more accountable to the trade.

The list is endless where TfL have made numerous statements and promises to the Trade, only for them to disappear into the ether. It is vital that TfL and the Trade Orgs have some proper records of what has been said by both sides at these meetings.



## Pimlico's Charlie, Pipes Up On Uber's Relicense Deal\_

You would have to be a blind man not to realise that half the people in the driver's seats of Uber vehicles don't have legally obtained UK driving licences. They are traffic menaces, and there is no way some of the people actually doing the driving have personally passed a UK

So, it's obvious that many of the drivers didn't sit the test themselves, so are not safe in terms of their ability to drive paying

passengers in a motor vehicle. Or possibly worse, they are not who they say they are, and are using a fake, stolen or 'borrowed' licence, leaving passengers exposed to an entirely different threat of harm.

Either way this whole situation is putting passengers at risk, and is going to end badly for someone very soon, and when it does, Sadiq Khan is going to have blood on his hands.

To be honest I don't care

that Uber has been put on probation for 15 months by TFL. One minute they were a public safety risk and the next they are back in business. The whole thing stinks like a criminal climb-down.

I wouldn't put myself at risk by getting into one of their cars, and I certainly wouldn't let any of my loved ones do so either, and on that basis Londoners should not be exposed to this type of risk, from an organisation that is officially given the 'okay' by our own mayor.



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# NO JUSTIFICATION FOR TFL TAXI POLICIES

London justify their Taxi policies if they do not consider the impact of changes to the operating conditions of the PH industry in the context of the impact on the Taxi and Private Hire markets?

During the City Hall investigation into Taxis/PH (2014-16) the Transport Scrutiny Committee asked Deputy Mayor, Isabel Dedring, Surface Transport MD, Leon Daniels and Chief Operating Officer, Garrett Emmerson, for their Strategy. It was embarrassing to watch them, over the course of several hearings, waffle on about a Strategy they claimed they had, but wasn't written down.

On the 8th of July, 2015, Valerie Shawcross CBE AM (Chair) concluded one hearing with this rather withering assessment of the evidence provided by TfL's Executive members:

"Thank you very much. Isabel, can I just thank you for those positive words? That takes us back to where we began. We need a vision and a strategy for the industry. Even if you just wrote down what you said and acted on it, it would be a very good first step forward. Ĭ am duty-bound to thank you for your time today, but I have to say that personally I feel really disappointed by a lot of what has gone on today. I am very disappointed that commitments and promises that the Mayor and Sir Peter Hendy [Commissioner, TfL] have made have not been followed up on. I do not think all of our guests have prepared by looking at previous debates and discussions and that was very disappointing. It does suggest that you are not taking this issué seriously enough. I do feel the point that was made by Isabel about the big challenge in the industry with more technology but, more than that, the issue here is about whether or not TfL as a regulator is behaving in a way that is now cosy and flabby to the point of unprofessionalism.

We do understand the regulations do need updating but I personally felt, I did not feel that TfL were doing their regulatory function in a way that is fast and fly and professional and transparent enough to deal with market entrants that have an aggressive approach in their





business models and where they do try to push the limits and push the bounds and behave in a way that more traditional operators feel they are not playing by the same rules of understanding, which is basically about trying to fulfil the spirit of the regulation.

The spirit of the regulation is about public safety and it is about the convenience of the public and the health of the industry as a whole. Getting people obeying the spirit of the rules is where we need you to be and I do feel we have heard a lot today that suggests there is much to do.

We will write back to you with a list of asks because there were a number of discussions today about things like the strategy, about some clear information on the regulatory activities you have been undertaking so far

and some issues about the ranks. We do have some more information we need from you and it is pretty clear now, although some things have started to move and we very much appreciate the fact you are undertaking the private hire review and we have seen some increased activity on Project Neon and some attention to those issues.

The heat is not going to go off in this area and, until we feel that TfL is meeting the challenge of regulating this industry in the way it now needs to be regulated in the changed world, then we are going to have to keep coming back to it. There is not going to be any breathing space on this. We need to see that strategy.

We want to see all of those things delivered and we want to see TfL up its game and become much more

professional as a regulator."

However, there was a PH Strategy paper that Jeroen Weimar (the man in charge before Daniels, Emmerson, Blake and Dedring) had presented to the Surface . Transport Panel, in 2009, detailing new Private Hire strategic proposals. There were 3 options but Weimar prefaced this with a paragraph explaining that any changes needed to be looked at with the view to maintaining the distinctions between the private hire and the licensed taxi trade.

- 3.1 The taxi and private hire trades operate in overlapping markets with significant competition, especially in the corporate account and late night travel sectors. The primary structural difference is that only licensed London taxis can ply for hire. All PHV journeys must be booked in advance via an operator centre.
- 3.2 The taxi trade is highly regulated extending to fare tariffs, detailed vehicle specifications and a requirement for all licensed Taxi drivers to complete the Knowledge – in itself requiring some three years of dedicated study. As such, taxi drivers have to commit significant time and capital outlay to enter the trade.
- 3.3 Entry into the PHV industry is comparatively easy. PHV drivers are required to meet similar medical and character checks, pass a brief routefinding test and can become licensed within three months.

PHV drivers can work for any number of operators or establish a new operating business (requiring additional measures). The PHV trade can use a wide range of standard vehicles. Fares are not regulated.

3.4 Any changes to the operating conditions of the PHV industry need to be considered in the context of the impact on the taxi market. The financial returns in the taxi industry need to reflect the relatively high up front investment and higher operating costs in order to maintain a viable ply-for-hire taxi service.

So, why didn't TfL do as Jeroen Weimar said and consider the impact of changes to the operating conditions of the PH industry in the context of the impact on the Taxi market?

Some of the results can be found in the Jacobs Report, that was published in October 2014. as the Ultra Low Emission Zone Integrated Impact (Economic and Business) Àssessment.

https://consultations.tfl.gov.uk/e nvironment/ultra-low-emissionzone/user\_uploads/ulez-iia\_ebia\_final.pdf

The relevant section is: 7.6 Taxis and PHV

TPH say it's not policy but then you only have to see what has happened to the Trade since it was written. The left hand at TfL, does not know what the right hand is doing....and that goes for some of our own Trade Reps.

The LCDC have constantly challenged TPH on this. In December 2016, TPH inserted the ULEZ meeting into the Licensing & Compliance Meeting. It was reported in the Badge earlier this year.

It leaves the LCDC asking this question: how can the Mayor & TfL's Board possibly justify policy making Taxi Drivers operate an expensive electric wheelchair accessible vehicle, whilst over-saturating the PH Market at the same time as undermining the Taxi Market by allowing PH to virtually ply for hire via an App?

**Mark White** 

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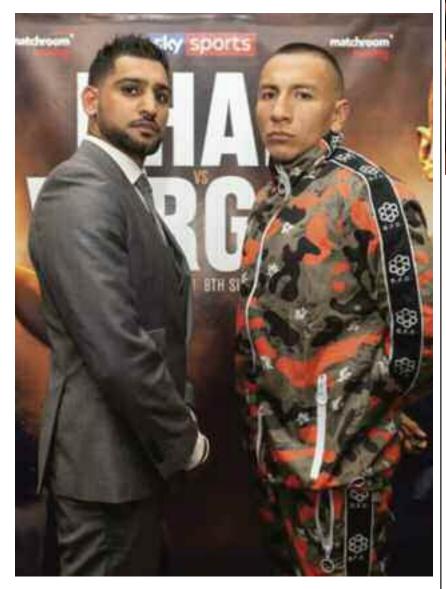
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# Khan ready for Vargas



Amir Khan says that at 31, he is at the "peak of his career" as he prepares to fight Samuel Vargas next week in Birmingham.

The former world champion returns to the ring on September 8, live on Sky Sports, to take on the Colombian. He will box back at 147lbs for the first time in over two years.

Khan made his comeback with a first-round knockout of Phil Lo Greco in April, and believes he is in the best shape possible ahead of his

next test.

"I still feel strong, I was running against the young 23year-olds (in training camp), then sparring against 25year-olds who are at the peak of their career - and I was out boxing them," said Khan.
"I was doing so well, so I

was thinking to myself 'age is just a number for me'. I work harder than most young fighters.

"My work rate was a lot harder than theirs, and this was against young up-andcoming fighters who I believe will become world champions. I really feel young, explosive and strong."

There is just eight days to go until his bout with Vargas, but Khan is already looking beyond that fight and wants to prove he is world class.

Khan made his comeback with a first-round knockout of Phil Lo Greco in April

"This next fight is very important to me, beating Vargas, not just beating him but also looking really good against him will only take me onto the big world title fights," Khan said.

"I'll be challenging for a world title in my opinion by the end of the year, or early next year."

He added: "It's how you look after your body. In training camp I worked hard, I never cheat myself. At 31, I'm at the peak of my career.'



# Canelo and GGG ready to rumble

All fight fans will remember the first fight back in September 2017, Golovkin put his WBA, WBC and IBF middleweight titles on the line against Canelo in front of a capacity crowd in Las Vegas.

The bout was controversially called a draw after 12 punishing rounds during which the undefeated Kazakh believed he had edged the contest on points. Canelo landed the more evecatching shots but reigning champion Golovkin landed more punches and had the better of the middle rounds. Golovkin later called the decision 'bad for the sport', committing himself to a rematch with the 28-year-old

challenger. "It's terrible, for me it's terrible. This is not correct," said Golovkin.

"I saw the computer, the total punches and I saw people's reaction.'

What are they saying? GGG on fight pay split in Canelo's favour:

"My original demand was 50-50, but after some thought I understood that 55-45 was good deserving number for both of us and if it didn't happen we were ready to move on.

'[Golden Boy and Alvarez] knew they would have a good deal either way. I was not going to go lower in percentage to make a deal. 'I said I'm going to agree to 45 percent and it's going to be my last percentage. I didn't think about this too much. First time

I said 50-50. Second time I thought, OK, 45 and that will be my last statement. It wasn't about me being sure or not sure. It was just my last proposition. Take it or leave it." Canelo on GGG's camp: "I believe that cordiality we had - not in the ring - is over, as they keep opening their mouth.

"I don't know why they're annoyed, if I'm the one that has made them the most monev

"They say that is not important, that they are not arguing about it, but it's the first thing they are fighting for: the money, the purse. They only care about that. The hypocrisy is saying that is not important is the first hypocrisy.
"I don't like to talk too much.

Obviously, I get mad, but I can control myself when it's time to box. That's why there will be no more cordiálity

"No doubt this will be a better fight. The desire to tear his head off is so big, and it will be much better."

What is the latest news? Golovkin had admitted he lost respect for Canelo and his team after the Mexican failed a drugs test earlier this year, resulting in their postponement of their original

rematch. The Mexican was given a sixmonth ban from boxing after

failing two drugs tests in February.
Canelo claimed the illegally

high levels of clenbuterol was down to him eating contaminated meat. "Was I upset that Canelo failed

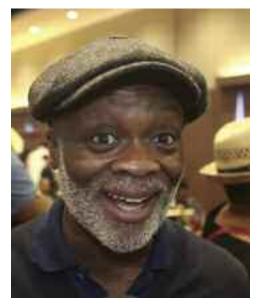
two drug tests? Yes. But I was more upset with Canelo's team," the Kazakh fighter told reporters last week.

"The excuses they gave, their attitude, and Canelo's reaction, it showed that they have no respect for the sport or the fans. They showed their real faces. They are fakes. I do feel anger towards him because the rematch was cancelled the first time." He added: "But I did lose all respect for him. Canelo is not the biggest name in boxing, just the biggest scandal. I feel very comfortable. It has been a great training camp. Abel (Sanchez) has had me working on new things which I find very exciting.

"The cancellation of the rematch in May was a good life experience but it was not a good experience for boxing. I believe new judges and a new referee could be better for boxing and the fans.'

What are the best odds? •Saul 'Canelo' Alvarez win 11/8 •Draw 22/1

•GGG win 4/7 What is our prediction? Maybe with all the upset revolving around the failed drug test, Canelo may well find it hard to re focus on the mammoth task ahead and because of this, we think Golovkin to win on points. It's an incredibly close one to call, but the reigning middleweight WBA, WBC and IBF middleweight world champion should have enough nous to claim victory on the judges'



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# Fellow Hackney boy Idris has done well for himself



He is a fellow Hackney boy who has done very well for himself. His name is Idris Elba and you can't let your Mrs near him.

I went to visit him at his home (Verv nice btw) to talk about his directorial debut, Yardie.

It's a story of violence and retribution on the streets of London in the '80s and yours truly has a tiny part as a preacher.

I'd gone to the premier in Waterloo and it was impossible to get near him, such is his appeal. The reviews have been good and it will be fascinating to see what he comes up with next but a little birdie tells me, "you will smell who Mr Elba is

### KHAN'S SENSE OF **HUMOUR!**



The Mayor of London, Sadiq Khan does have a sense of humour after all.

Is Heathrow marshalling

a closed shop?

I have interviewed him dozens of

times, admittedly less frequently since becoming Mayor. He has come across as more and more grumpy as time has passed and I did worry that being Mayor of our great city was taking its toll. Granting permission for a giant bikini wearing blimp was fantastic. His only comment: "Yellow is not my colour"

### **CROSS RAIL IS GETTING OUT OF CONTROL**

Lost my cool a bit on the radio last week.

Cross rail will not be ready TIL at least 9 months after if December 2018 scheduled date. The largest infrastructure project in the whole of Europe is already £600 million over budget and looking like a bit of an embarrassment. So much that I couldn't get anyone from the Department of Transport, City Hall, Minister for London or TFL. All paid by the public purse bit unavailable to speak about how public money is being spent or even monitored, or not. That cannot be right.



### Dear Sir.

My name is Paul Sweeney, I am a London taxi driver who has worked out from Heathrow for a good number of years. I am a disabled driver, with a blue badge. Previous to becoming a London cabbie, I worked for Royal Mail for over 19 years, I also spent many years as disabled discrimination official for CWU union and study the DDA act at college. I also worked for BAA at Heathrow before studying on the Knowledge of London. I have battled against cancer and won both times, I have personally fought against TFL to continue as a Disabled Driver and work hard in promoting open

door to other people, looking to study the Knowledge. Unfortunately you at HAL have presented me, with another challenge, your entry process to enable people like me, to become a Marshal at Heathrow is flawed and totally discriminative. I have spent seven years trying to open doors to enable me to become a terminal Marshall and advocate for London Taxi Trade. Strangely they at Unite cannot find any applications or letters I have submitted to pass through stage one of the process. Unite, who are supposed to be supporting people like me, have a closed door attitude to non Unite faces. This is absolutely shocking and

one hundred per cent discrimination in full setting. Recently a Unite Secretary said they would give me a slot. Late evenings and weekends! Well due to my disabilities I wake at 02:30am, I then proceed to the feeder park and work from there. My disability would not allow me to work from 02:30am until midnight doing Marshalling duties. The early Marshall list is completely closed and is reserved for friends and long standing Unite officials. This is not only unfair and unreasonable, but to someone like me. this is total discrimination in black and white form, **Disabled Discrimination** Act has guidelines that have to be met, Unfortunately HAL and

Unite are breaking the law here, you have to make reasonable adjustments to enable someone like me to be treated fairly and doors must be open. Expecting me to be placed onto the night Marshall list is not acceptable or fair. Yes I could do one day a week and weekend hours, but working morning and afternoon as Marshall is acceptable to my disabilities. One of the Senior Unite reps said to me last week in a patronising manner, maybe you are not well enough to become a Marshall Paul? Well I am contacting you to ask you to do something about this discriminatory attitude from Unite. Whyare there these barriers for people like me? I will await your

reply and hold HAL and Unite personally responsible for allowing this door to be closed in my face. Obviously I would rather work with you and force change. Unite act as a Cartel at Heathrow and with such tiny membership, how do they decide who gets in. The whole process is flawed and outdated. I am asking you personally to address my complaint. If not I will be speaking to the Disabilities Law Commission and Disabilities rights council, where I have some good contacts. This form of discrimination at the feeder park is wrong and totally against the law. I would be grateful to hear how you will be looking to make changes.



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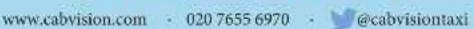
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# Airport matters... by Mark White

Jamie Hawes' recent article in 'The Badge' caused a minor storm last month, when he reported the comments from Charanjit Brar Singh, Heathrow's Taxi Liaison

Having told the Airport Reps to report back to Members that the Electric Taxi Charging Protocol would be changing, a number of Drivers, who had TX-e's, contacted Club Reps and HAL direct, to complain about being told that they would have to charge their vehicles prior to putting on the queue for the Taxi Feeder Park, just as Drivers who use the Diesel in the Fuel Station have to do. TX-e owners complained that it was unfair given that they would be having to wait an additional 45 minutes before queuing in the TFP, which can be for several hours.

A short while after the news came out, a Statement from HAL was released. As usual, this was sent only to the 4 Trade Groups, who have chosen to ostracise the LCDC under the **HUTG** (Heathrow United Trade Group) banner, suspending the change to the new protocol. 'The Badge' goes to print before the next HAL Liaison Meeting (6th September) but we will be making a formal complaint that ALL Notices should be sent to ALL Trade Orgs as this is not the first time this has happened.

The LCDC have a number of Members who operate Electric Taxis and they are entitled to receive the news as soon as possible, via all avenues (social media etc), and not just to turn up and find a badly written note stuck on the Canteen door. One such Member, has coordinated the opinions of several Drivers and we have asked HAL that Brian be allowed to attend to speak on their behalf, in order to try and find a constructive set of protocols to make working a TXe at the Airport stress free.

The animosity between the other Trade Groups and the LCDC at Heathrow continues to the detriment of ALL Drivers. Unite are still abusing their position and the fact that they hold the Taxi Trade Compliance Meeting in their building on the Bath Road to exclude the LCDC's Rep. In turn our Reps are refusing to work with the other Orgs after a viscous smear campaign by their Senior Rep, who has lied to his own Branch, Union and the Authorities we engage with. The other Trade



Orgs and Reps allow this to happen, whilst privately saying they do not agree with what is happening, but claim they have to support their Senior Reps.

It's an abuse of power that Unite have typically used for decades to stop other Trade Orgs and Reps from attending Trade-led meetings. The Cab Ranks Committee Meetings were until around 2009, run by Unite and the LTDA, until the LCDC were 'invited' to participate. The UCG & RMT are still holding out for 'invites' despite being recognised by TfL.

A 'Trade-led' meeting means that the Trade invites the participants and sets the rules for the meeting. When Unite offered to allow the Airport Compliance Meeting to take place in their swanky new building, little did we know that it would expect it to be under their control when the other Trade Orgs, blindly followed their instructions to only allow 1 Rep per Org, despite the fact that 3 of the groups disagreed with the policy at TfL meetings

Having 2 Reps per Org allows each group to blood new Reps within the Organisation. For example, having the opportunity to have 2 Reps at the HAL Liaison Meeting has allowed the LCDC to build a team of 6 Airport Reps who can comprehensively cover both meetings confidently. The LCDC newspaper is the only Trade medium to have regular updates at Heathrow each month.

Not content with keeping Club Reps out of Meetings, Unite also refuse to share access to the

spare Office in the Canteen block that was previously used by HALT. Unite have a multimillion Pound building on the Bath Road opposite the TFP and a Porta Cabin in the Feeder Park which takes up additional parking spaces. Unite Reps have taken the bays as their own personal parking spaces and no longer park in the bays on the fence by the North Park as they once did, when Unite Reps dominated HALT However, their Senior Rep Stuart Hope told HAL that they also need the locked Office that they once turned into a Library (it was hardly ever open! Try returning a book...) saying that it was 'back up'

What makes this even worse is that Unite represent little more than a handful of Taxi Drivers at the Airport, yet send HAL letters claiming to represent thousands, many whom are not in any Trade Org and some who are LCDC members. The Club is quite capable of representing its own membership, when we are allowed to, and HAL may have to find out the hard way if they continue to allow Unite to take

On a more positive note, the LCDC would like to welcome Courtney Connell to our Ranks as a Member and one of our team of Reps at Heathrow. Courtney recently spoke at the Knowledge event at City Hall and expressed a desire to get involved at Heathrow, which he will be doing when he attends this week's Liaison Meeting. We hope to introduce Courtney gently into the fold....for the benefit of those who will be up

against him.

On the 6th of September, the LCDC will again seek to address the issues that affect the Trade at the Airport. Sadly, we are having to do this against a background of non-cooperation by other Trade Reps but we will continue to push for answers even if this continues to expose others. The Office that we have asked to gain access to is a point in fact. How can Trade Orgs tell their Members that they are in favour of uniting the Trade when they cannot even share Office space? The LTDA & Unite, neither of whom pay any rent to HAL, leave both Offices locked for virtually the whole of the day and night, when they could be used by the other 3 Orgs and the Marshals/Parking Wardens. HAL are compounding the issue by allowing this discrimination to take place. For several years, HATDU were forced to work out of a broom cupboard whilst Unite squandered a comfortable Office with WiFi, even going so far as allowing a number of their Reps to sleep in it. However, what we can't understand is why the UCG's Steve Jones and RMT's Paul Walsh accept the situation so easily? But then, maybe they don't need an Office?

The LCDC will also be asking HAL to give written clarification on how a Unite Rep was allowed to sign in and out of the Airport to attend Meetings in Central London. This, we understand, is not an isolated incident and Unite Cab Section's Secretary, Peter Rose, seems to think this acceptable as it saves

him having to pay his Reps for their time....the rest of the Airport Drivers pay with their time. But, then, as Peter only chairs an Airport Meeting and has no idea how to work it, he doesn't care. Neither do his other Unite Cab Section colleagues, like Mike Hedges, who only goes to Heathrow to do Spanish Lessons! You really couldn't make it up.

We will be asking HAL to clarify a number of protocols and to post the notices in the new cabinet by the Canteen doors. In this cabinet, Drivers can find the rules for Marshals and Car Park Wardens. We are still trying to get rules and protocols for Reps displayed....when the other Reps get around to making some up.

In other news...

Cross Rail has been delayed until some time in the Autumn of

The BBC Report that "London's £15bn Crossrail project is to open nine months after its scheduled launch to allow more time for testing. Europe's biggest infrastructure project will help ease London's chronic congestion by connecting major landmarks such as Heathrow Airport and the Canary Wharf business district.

The route, to be known as the Elizabeth line, had been due to open in December, but will now be launched in autumn 2019 "to ensure a safe and reliable

railway", transport officials said. It is running almost £600m over budget.

In more harmonious times, some of the Trade Orgs at Heathrow pulled together to ask Drivers their views; something the LCDC Reps had hoped to repeat again last Summer as part of the Tariff Review. With the delay of Cross Rail, the Taxi Trade has another year in which to get its act together and prepare for the launch of a service that will decimate our customer base and work.

When fully operational, trains will run from Reading and Heathrow in the west through 13 miles of new tunnels to Shenfield and Abbey Wood in the east.

It will operate as three separate services - as previously planned. Crossrail says the new line will connect Paddington to Canary Wharf in 17 minutes.

An estimated 200m passengers will use the new

increase since World War Two. In 2014, the LTDA's Paul Brennan put forward a proposal (see the article in the July 2018 edition of 'The Badge') that was largely unworkable and the LCDC Reps told him that he was wasting everyone's time in trying to get HAL to put a £1 on the Gate to fund a wish list of promotional projects. The LTDA Rep refused to listen until HAL themselves told him to his face in a meeting. Brennan's first reaction was to blame the LCDC, even though we had not made our reservations public.

2015 saw a more constructive approach from the Orgs and the Airport Drivers were given a free Guide list that matched the ones on all the Terminals. These will shortly need updating.

At the start of 2016, the LCDC, in conjunction with the LTDA & the UCG, commissioned a Survey from AskPOB. The consultation was opened for 3 weeks, on the 5th May 2016 and closed 26th May 2016. The survey sought to generate a more comprehensive understanding of licensed London taxi drivers' opinions on issues facing Heathrow. There were 12 questions asked:

1) Would you be prepared to offer capped fares to Central London postcodes from Heathrow ranks?

70% of all the licensed London taxi drivers canvassed wanted to see a capped fare put in place for all fares from Heathrow to Central London. Less than 10% of drivers are against the idea. Of the drivers whom had worked the Heathrow ranks most recently (in the preceding month) the support for capped fares decreased slightly to 63.36%. Less than one in five drivers working Heathrow on a regular basis opposed the idea.

2) Would you be prepared to offer capped fares to all London postcodes from Heathrow ranks?

Just under 60% of all the licensed London taxi drivers canvassed wanted to see a capped fare put in place for all fares from Heathrow to all London postcodes. Just over 15% of drivers were against the idea, whilst one in four registered a 'Maybe'. Of the drivers whom had worked the Heathrow ranks in the preceding month the support for capped fares to all of London again decreased slightly to just under 55%. Nearly one in four drivers working Heathrow on a regular basis opposed the idea.

Compared to results for capping fares to Central London only, drivers were approximately

10% less supportive of a London wide capped fare system from Heathrow.

3) Would you be prepared to offer capped fares from Central London postcodes to Heathrow? Just short of 80% of all the licensed London taxi drivers canvassed wanted to see a capped fare put in place for all fares from Central London to Heathrow. Less than 6% of drivers were against the idea, whilst just under 15% registered a 'Maybe'.

Of the drivers whom have worked the Heathrow ranks in the preceding month, the support for capped fares from Central London increased very slightly by 1%. Less than 9% of

he?

Just over 36% of all the licensed London taxi drivers canvassed thought the capped fare should be priced at £60. This majority opinion is shared by the driver whom work Heathrow on a regular basis.

6) When was the last time you ranked at Heathrow for a fare? 65% of all the licensed London taxi drivers canvassed had worked the ranks of Heathrow in the previous 12 months. 35% of drivers had not.

About a third of all drivers had ranked at Heathrow in the preceding month.

7) Should the 'Local' return time be reduced?

60% of all the licensed London

licensed London taxi drivers canvassed were prepared to pay a levy for trade investment on the Heathrow gate. Less than 12% of drivers were against paying a levy.

Of the drivers whom have worked the Heathrow ranks in the preceding month, support for the levy was higher by 12%. The result was formed by less drivers registering a 'Maybe' vote.

10) Would you support a Heathrow specific code of conduct for drivers administered by the trade?

Almost 80% of all the licensed London taxi drivers canvassed supported a Heathrow specific code of conduct for drivers administered by the trade. Less popular choices which featured in the majority of 'Other' opinions gathered included:

All taxis to accept credit and debit cards

All drivers must accept the first job. No brooming.

12) If the trade was to bring in a code of conduct at Heathrow, what should the penalty be for non-compliance?

Over 27% of all the licensed London taxi drivers canvassed thought the penalty for nocompliance should be a 1 week ban from the feeder park. The results were quite sporadic with the least supported option, a 2 week ban from the feeder park, registering over 15% of opinion.

HAL have now introduced a disciplinary code at the Airport and Drivers are being banned. The LCDC Reps wanted this to be administered by the Trade but we were kept out of many of the discussions and emails by the other Orgs and the result is not exactly what we would have wanted. By the time we were made aware of what was being proposed, most of it was in place. Instead of being in front of the issue and protecting Drivers, Unite's Senior Rep and his cohorts ended up trying to fight a rearguard action.

If the Trade is to make any progress in the next year, it is imperative that we had one single entity that is set up to represent every London Taxi Driver at the Airport, with no fear or favour, regardless of faith, creed or colour. A body that represents Heathrow Cabbies commercially with HAL before it is too late.

LCDC Reps have put forward suggestions for Induction classes and a Heathrow Guide Book that Unite have objected to. The idea is to give new Drivers a helping hand in working at Heathrow with information and guidance both face to face and in writing for further reference. All the Trade Groups agreed to this in 2016, but it was stopped, not by Unite at Heathrow, but by their Central Branch. HAL are now reconsidering the project after we represented the Guide Book and said we would publish at our own expense and start offering the service to LCDC Members. Hopefully, on the 6th, HAL

The LCDC have also put together a model rule book (based on HATDU) to try and organise a Commercial entity to represent the Trade going forward: we have called it 'The Concordia Project'.

implement the proposals.

The other Trade Orgs at Heathrow have now wasted the best part of a year. They must realise that we are

slowly running out of time.

drivers working Heathrow on a regular basis opposed the idea.

Compared to the results for capping fares from Heathrow, drivers were between 9-17% more supportive of capping fares from Central London. Drivers working Heathrow regularly are most supportive of the cap.

4) Would you be prepared to offer capped fares from all London postcodes to Heathrow?

Just under 70% of all the licensed London taxi drivers canvassed wanted to see a capped fare put in place for fares from all London postcodes to Heathrow. Just over 10% of drivers are against the idea, whilst a little more than 20% registered a 'Maybe'.

Of the drivers whom have worked the Heathrow ranks in the preceding month, the support for capped fares from all of London remained constant. One in eight of drivers working Heathrow on a regular basis opposed the idea.

5) If a capped fare from W1 to Heathrow Terminal 2 was to be introduced, how much should it

taxi drivers canvassed didn't want to see Local return times reduced. Only 6% of drivers were for the proposal, whilst 33% registered a 'Maybe'.

Of the drivers whom have worked the Heathrow ranks in the preceding month, the support for local return times being reduced diminishes further with almost 92% of drivers against the proposal.

8) Should the taxi trade invest in any of the following?

Over 80% of all the licensed London taxi drivers canvassed thought the trade should invest in advertising at Heathrow. The least supported suggestion idea put forward was for the official London taxi website. However a high percentage of 70% still showed support.

Of the drivers whom have worked the Heathrow ranks in the last month, the support for all ideas rose slightly, except for the proposal for an official London taxi website.

9) Would you be prepared to pay a levy for trade investments on the Heathrow gate?

Just under 60% of all the

than 3% of drivers were against the proposal.

Of the drivers whom have worked the Heathrow ranks in the previous month, support for the idea remained constant suggesting the proposal would be supported by the majority of the trade.

11) If the trade was to bring in a code of conduct at Heathrow, what do you think should be included?

Over 86% of all the licensed London taxi drivers canvassed favoured all cabs being clean as part of the code of conduct. The least popular proposal was the use of trade price guides only at the Heathrow ranks.

Of the drivers whom have worked the Heathrow ranks in the preceding month, support for the idea remained constant as a whole except for answers around the use of trade price guides only. Heathrow regulars are almost 8% more in favour of the proposal.

One in four drivers also provided their own opinion on what should be included in the code of conduct. The two most

### **Dial-a-Cab Credit Union Limited**

### (in Administration)("the Credit Union" or "DACCU")

**Dial-a-Cab Credit Union went into** Administration on 4 September 2018 and the office has closed. Stephen Cork and Joanne Milner have been appointed Joint Administrators of DACCU with effect from 4 September 2018.

Money in your Dial-A-Cab Credit Union Account

Don't worry, your money is safe, up to a limit of £85,000.

Loans with Dial-A-Cab Credit Union

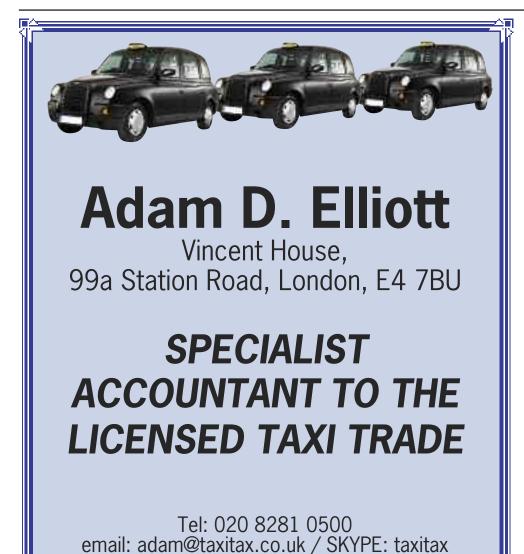
You need to continue to make your payments on your loan(s) until it is paid off. You should not cancel any standing orders in relation to your loans. If you have any questions in relation to your loan, please contact DACCU@corkgully.com or call our collections team on 01904 676 633.



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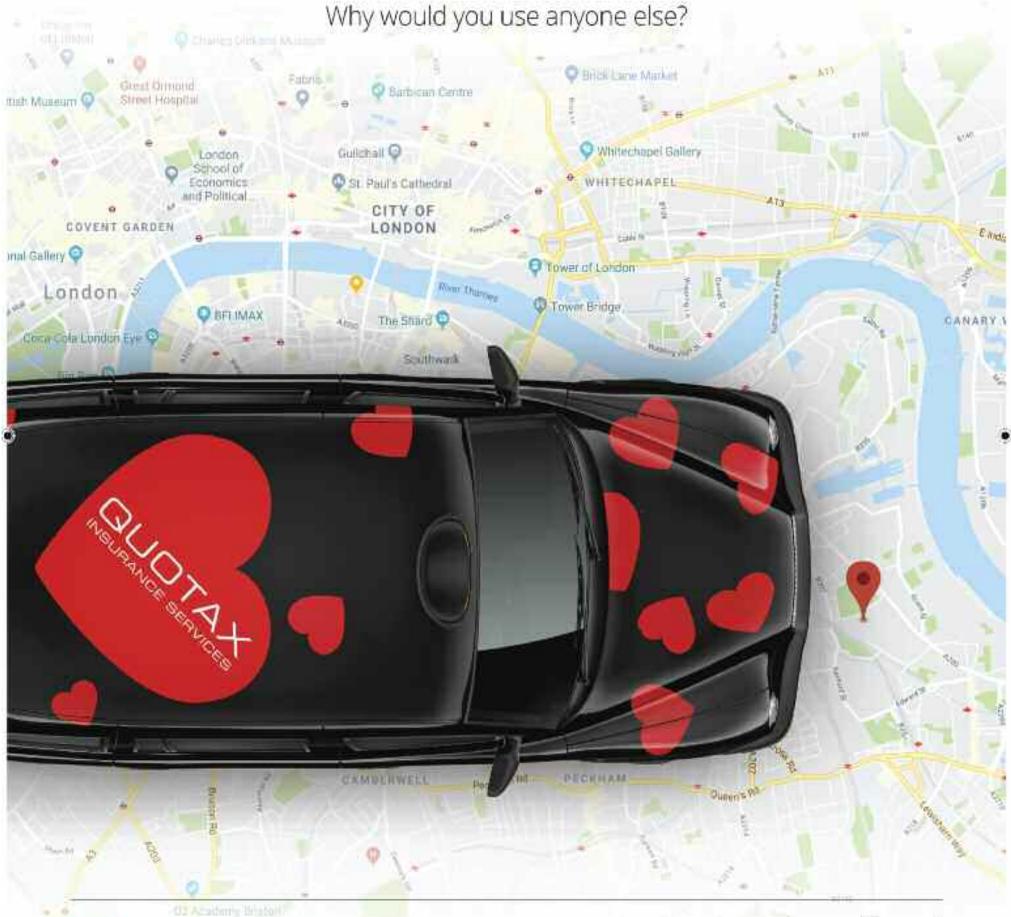
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