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Issue 350

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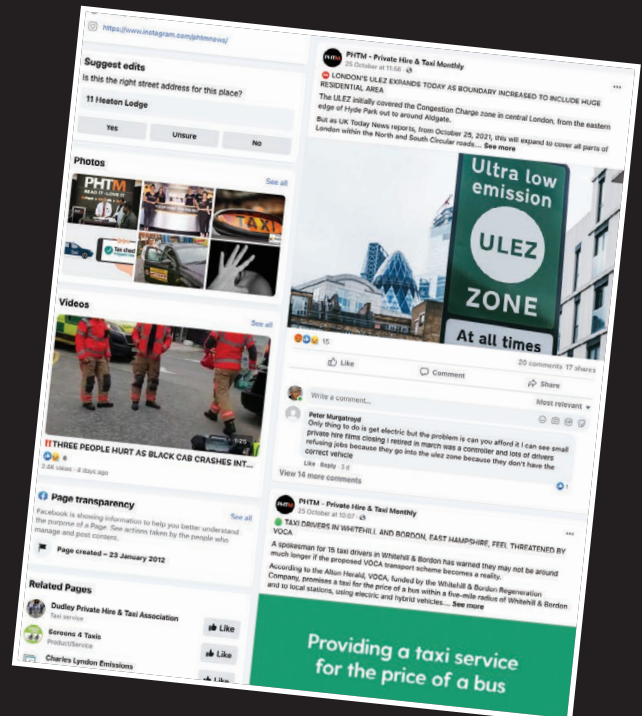
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# PLEA TO ALL COUNCILS:

## OUR INDUSTRY IS AT BREAKING POINT - WE NEED URGENT ACTION NOW

Our industry is an intrinsic part of the UK transport infrastructure. It is our operators and drivers – hackney, private hire and chauffeurs – who work in all weathers, 24/7, 365 days a year to ferry the young, the old, the professional, the holidaymaker, the student, the drunk, the sick, the vulnerable and the disabled; often abused and unappreciated while doing so, but always ensuring that the general public reach their destination safely and on time.

It was members of our trade, thousands of operators, and hundreds of thousands of drivers, who despite the obvious health risks, were on the frontline throughout the pandemic. Unsung heroes who continued to work to support their local communities: transporting NHS staff and key workers; delivering food and prescriptions and taking the elderly for their Covid jabs; often doing this at heavily discounted rates or in many cases, for free – acting as the 4th emergency service!

We are in fact the largest industry in the transport sector, and yet we have been, and continue to be: ‘The Forgotten, Ignored and Neglected Industry’. We have received little financial support compared to that given to buses and trains. We are also an industry that is burdened by outdated and flawed licensing rules and regulations.

Furthermore, at a time when our industry is already struggling to survive, new Government guidance has been introduced for the implementation of National Standards, including the recommendation to make in-vehicle CCTV and regular training courses mandatory. Additionally, there is a nationwide push to reduce CO<sup>2</sup> emissions with the introduction of clean air zones in many towns and cities, forcing our trade to invest in costly new electric vehicles and charging points or face daily charges. These are measures currently in consultation or which have already been sanctioned in council meetings across the country.

We accept that much of this legislation is necessary and long overdue BUT we have to ask has anyone actually considered how members of our trade, who have been starved of proper financial help for so long, are going to pay for all this?

**PHTM** and the **NPHTA** predicted last year that continued lack of adequate financial support would result in licensed drivers handing their vehicle plates and badges back in droves. Sadly, this is now the case with an estimated 40% shortage of drivers across the country.

We are now in a time of high inflation instigating a sharp rise in fuel, energy, food and general living costs. Meanwhile, our

industry is hindered by: the need to buy or rent costly vehicles, expensive insurance premiums, lengthy licensing processing procedures and increasing driver attacks. So realistically how on earth can we compete to maintain and keep our drivers and/or attract new drivers, when there is an abundance of easier, safer and potentially more lucrative alternative jobs, such as food and parcel deliveries, readily available with far less investment, little red tape and zero council involvement.

### PLENTY OF WORK BUT EXTREME DRIVER SHORTAGES

Operators nationwide are currently being forced to offer financial incentives from their own pockets to attract drivers to their circuits, some even paying for licensing fees and training, plus guaranteeing earnings for a period of time. After struggling through covid with limited financial support and now facing escalating overheads this is unfair, unacceptable and is certainly not viable as a long-term solution.

### OUR TRADE NEEDS HELP - COUNCILS MUST ACT NOW

#### GRANTS AND INCENTIVES

- Government or council incentives to attract new drivers to our industry and train them
- Standardised substantial national grants to help our trade, wherever they are licensed, to: upgrade to EVs, purchase home chargers and install fast charging stations at taxi bases
- Protect our drivers – allow easy access to funding for installation of in-vehicle CCTV (where this has been made mandatory) from sources such as community safety partnerships, Independent Police Complaints Commission and the Safer Streets Fund, which allocates funding for the installation of CCTV on our streets.

#### END OF RIDICULOUS BUREAUCRACY

- **Speedier licensing processing:** There are currently vast variations in the time taken to process new licence applications. Considering we live in a digital world, it is unacceptable to expect new drivers to wait weeks, or even months in some cases, before they can start working due to council administrative delays. Whilst we appreciate that certain checks must be done, in reality the entire licensing regime is archaic and unnecessarily complicated. The whole system needs updating and streamlining, as it is now vital that the processing of both new and renewal licence applications is handled swiftly and efficiently.



# HELP OUR TRADE

- **MoT failures:** We are hearing reports of vehicles failing council MoT tests for petty reasons such as fitting catalytic convertor guards, having seat covers or tiny scratches/dents to bodywork. We appreciate that safety of our trade's vehicles is paramount, but these irrational failures result in vehicles unnecessarily being taken off the road, the impact of which in the current climate is utter madness.
- **Tinted windows:** The mix and match of policies from councils across the country is beyond ridiculous! These policies ultimately exclude the majority of modern vehicles, particularly EVs, from being able to satisfy licensing conditions as there is no clear glass option available to purchase for most of them. Many councils with such a restrictive policy, use "public safety" as an excuse! The truth is that clear glass actually has a negative impact on public safety since it increases exposure to UV rays. There is another major flaw in any policies that force vehicles to be modified this way, M1 type approvals are granted to vehicles as manufactured, changing the glass in this way is classed as a structural change, which would mean that the M1 type approval is no longer valid. So, our trade is being forced to invest in these newer vehicles, and then told they cannot be licensed - a ludicrous scenario, time to choose: new green cars or clear glass - you cannot have both anymore!
- **Training courses:** It is important that all drivers, particularly new drivers, have some training. However, unless training course subject matter is going to vary every three years, making them mandatory for ALL drivers at each and every renewal application becomes neither sensible or practical and will achieve nothing other than additional costs and wasted time for drivers as well as extra processing of unnecessary paperwork for licensing officers.

## HACKNEY FARE INCREASES AND WAVS

With rising overheads (extortionate house prices in some parts of the county) and fierce competition in the work marketplace it is imperative that our drivers are able to earn a decent living wage for the job that they do. The hackney trade is struggling and facing extinction in some parts of the country. You only need to look at our hackney fare league tables on pages 72-73 to see the disparity in the 2-mile fare rate in different areas. It is patently illogical.

The significant cost of WAVs means that some councils seriously need to reconsider their rule that all hackneys must be wheelchair accessible, as was recently submitted to Sheffield City Council by way of a signed petition. There is no practical or lawful reason to maintain a 100% WAV policy. In fact, doing so could actually be a breach of the Equality Act 2010, since many of those with disabilities are unable to get into

high up WAVs and it has also been shown that only a small percentage of less able-bodied people are completely wheelchair bound.

Meanwhile, minimum wage has yet again been increased and public sector wage rises have just been approved by the Government so it is therefore unfair and unreasonable that some councils are rejecting or ignoring requests for hackney fare increases, despite the local trade justifying the need.

Without some vehicle flexibility and relevant fare increases it is likely that many hackney operators in some areas will leave the trade completely or perhaps change their licence to private hire. Obviously, this is not an ideal outcome for any council and/or its residents.

## CONCLUSION

To be clear, without swift intervention, our trade will be decimated forever with driver numbers so depleted that it will be impossible to service the needs of local communities. This in turn will cause chaos on UK streets and inevitably result in dire consequences

We hear repeatedly: "We have a duty to protect the public", and we agree, you do! Especially when you acknowledge that members of our trade are also members of the public! Just ask yourself one question: when there are no taxi or private hire drivers left, through lack of protection and support, how safe then will the public be? The public out and about late at night in the towns and cities, walking home alone in the dark, housebound and unable to get to bus stops or to get to doctors' surgeries, hospitals, schools and everywhere else where they rely on us, the taxi and private hire industry?

How will the loss of "an integral part of the public transport infrastructure" result in the public being 'safe and protected'? - the oft-repeated local authority mantra.

**NOW is not the time for rhetoric**

**NOW is the time for nationwide action!**

**HELP our trade to continue to**

**HELP ensure the safe transportation of the public**

**PHTM and NPHTA appeal to ALL local councils and the English, Scottish, Welsh and Northern Irish Governments to: listen to our plea.**

**HELP US NOW!**

**BEFORE IT REALLY IS TOO LATE!**



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# IN THE NEWS

## EAST HANTS CABBIES THREATENED BY VOCA SCHEME

A spokesman for 15 taxi drivers in Whitehill & Bordon, East Hampshire, has warned they may not be around much longer if the proposed VOCA transport scheme becomes a reality.

According to the Alton Herald, VOCA, funded by the Whitehill & Bordon Regeneration Company, promises a taxi for the price of a bus within a five-mile radius of Whitehill & Bordon and to local stations, using electric and hybrid vehicles.

But AJL taxi driver Mike Steevens said “75-85 per cent” of the town’s taxi drivers’ business was from within that five-mile radius.

He added: “Regen seem to be hell-bent on upsetting everyone at the moment. “If we fold because of them – and VOCA run out of funding, because EVs are a huge cost – people will be without a taxi service in 18 months’ time.”

The regeneration company and Liphook coach firm AMK are working on VOCA, which will have a phone, internet and app booking system. A small-scale launch before Christmas is planned.

Mr Steevens, a taxi driver for 28 years, said the threat to taxi drivers would increase if leisure journeys by VOCA were permitted: “Lindford to Bordon is fine, but Bordon to Castle Street in Farnham for a restaurant at half the price? Is that fair, as they don’t have to make a profit?”

“We’re looking at hybrid vehicles but who’s going to spend £30,000 on that if you haven’t got a business in six months’ time? We’re struggling after Covid to get back any semblance of trade and this has kicked us right in the teeth.”

James Child, project lead at the regen-

eration company, said: “VOCA is designed to meet the transport needs of the local community, which have been voiced by existing residents since we first started working in the area – namely a lack of readily available transport to get around town and to local destinations such as the train station.

“From the public survey we undertook last year it was made clear that there are not currently enough taxis available in Whitehill & Bordon. The VOCA service adds to those already available in the town.

“VOCA is not a private taxi firm, it is a broader transport solution being run in collaboration with an experienced bus operator. It will utilise electric and disability friendly vehicles and is designed as a public service operation to support multiple journeys and car sharing in a way that private hire cars can’t.”

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## TAXI/PH LICENCE APPLICATION CHANGES FROM APRIL 2022

The government legislated in the Finance Act 2021 to apply **HMRC Tax Conditionality** to licence applications for taxi/PH drivers and PHV operators. The legislation will come into effect on 4 April 2022 in England and Wales and places new obligations on licence applicants to complete a tax check, and on licensing bodies to confirm that an applicant has completed a tax check, before making a decision on the application.

### What you will need to do to meet new rules if you're applying for a taxi or PH licence on or after 4 April 2022.

The rules are changing if you're an individual, company or any partnership applying for a licence for a:

- taxi driver
- private hire driver
- private hire vehicle operator

If you make an application on or after 4 April 2022 you'll need to complete a tax check if you're:

- renewing a licence
- applying for the same type of licence you previously held, that ceased being valid less than a year ago
- applying for the same type of licence you already hold with another licensing authority

You must carry out the tax check yourself. You cannot ask a tax agent or adviser to do this on your behalf.

The tax check will ask questions about how you pay any tax that may be due on income you earn.

After you have completed the tax check you will be given a 9-character tax check code. You will need to give the code on your application to the licensing authority, so they can confirm you have carried out a tax check.

**WARNING:** You will not be granted a licence if you do not give a tax check code to your licensing authority.

In line with the government's tax consultation framework, HMRC has recently published draft regulations for technical consultation which contain administrative details about how the tax check process will operate; in particular, how certain actions must be carried out and when certain actions take place.

The draft regulations can be viewed here: <https://bit.ly/2XRJ7iY>

The technical consultation is open until 18 November 2021. The purpose of the consultation is to make sure that the regulations will work as intended. If you wish to comment on that, email:

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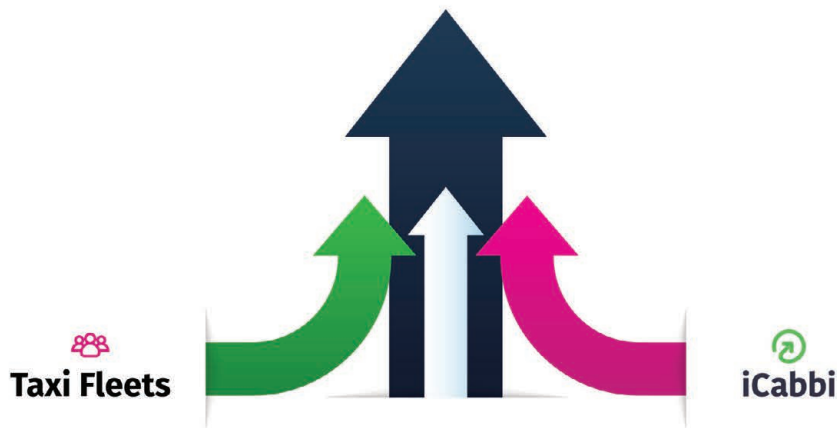
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From May 2021 the new Civil Liability Bill will come into effect. This will change the way drivers claim for whiplash injury and further increases the need to ensure you have pre-purchased a motor legal expenses insurance policy. As a result of the Civil Liability Bill, you will be liable for any legal costs for pursuing claims of up to £5,000 in respect of whiplash injuries following a motor accident. However, if you have pre-purchased motor legal expenses cover then this will cover your legal fees so you can pay for a solicitor to pursue the claim on your behalf. A standard motor legal expenses could cover up to £100,000 in legal fees and typically cost around £3 a month in premiums. \*This option is exclusive for Multi Vehicle/Fleet policies. Terms and conditions apply. South Essex House, North Road, South Ockendon Essex RM15 5BE. SEIB Insurance Brokers Ltd are authorised and regulated by the Financial Conduct Authority.

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# IN THE NEWS

## TWO **BLACKBURN** CABBIES WERE HELD AT KNIFEPOINT BEFORE ROBBER CAUGHT ON WHATSAPP

A man who robbed two Blackburn cabbies at knife point was caught after his victim entered his phone number into WhatsApp and found his profile picture.

According to LancashireLive, Suhail Mitha, 30, held up cabs on January 31 and February 8, demanding cash and the drivers' mobile phones.

Mitha has now been jailed for 45 months after pleading guilty to robbery and possession of a bladed article.

In the first robbery, Mitha used an incapacitating spray to attack the driver, before pulling out a small pocket knife.

He then drove away in the taxi when the driver got out to apprehend him.

In the second robbery, Mitha produced a 12 inch kitchen knife and held it to his victim's throat, demanding the cash

bag and the driver's mobile phone.

But on February 8 a colleague of the first victim entered the phone number, used to book the cab, into WhatsApp and pulled up Mitha's profile picture.

The image, along with the phone number and booking details were passed to the police and Mitha was caught.

Lisa Worsley, prosecuting, said both victims suffered flashbacks as a result of their ordeals.

One driver feared he would never see his children again when the knife was held to his throat.

The other had sold his six seater cab and exchanged it for a hatchback as he could no longer face the pressure of having too many passengers.

Richard English, defending, said Mitha came from a "thoroughly decent" fam-

ily and had worked since the age of 11. He held a management role but had fallen into heroin addiction after a botched shoulder operation following a motorcycle crash in India in 2019.

As a result of the operation, Mitha started self medicating with class A drugs and alcohol, lost his home and used all his savings.

"His only way of getting money was to take it from other people", Mr English said.

Judge Simon Medland QC, sentencing, said: "You found yourself literally and figuratively in the gutter behaving like this to two decent lads, who were doing a public service as cabbies helping people to get around."

Mitha also received six months jail to run concurrently for the knife possession.

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# IN THE NEWS

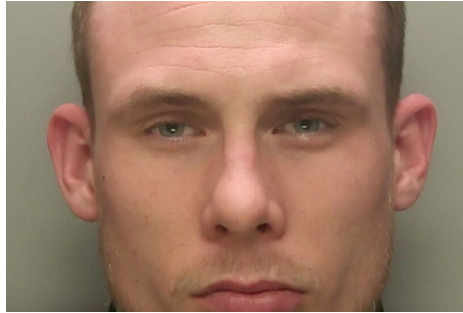
## JAIL FOR **GUILDFORD** DRUG DEALER SNARED BY POLICE SELLING FROM THE BACK OF A CAB

A “prolific” drug dealer was snared by police when he was selling drugs from the back of a taxi in a Guildford car park. According to Get Surrey, Edward Chapman, 23, was spotted acting suspiciously in a small car park off The Mount in the town.

Chapman was a rear passenger in a taxi on June 4 last year when they saw him pass something to a known drug user; officers thought it looked “suspiciously like a drug deal”.

He was approached and searched by officers who found a mobile phone, a burner phone, a small bag of white powder and £640 in cash. He was arrested at the scene.

Chapman, of no fixed address, has now been jailed for four years and two months after pleading guilty to posses-



sion with intent to supply a class A drug - namely cocaine - when he appeared before Guildford Crown Court.

Investigating officer PC Adam Grindlay from Surrey Police, said: “Chapman’s arrest and conviction is another example of the proactive work Surrey Police is doing every day to target drug relat-

ed crime in the county. We will continue to target those involved in the supply of drugs.

“We rely on members of the public to report suspected drug activity in their area to help us build a bigger picture of serious organised crime.

“You may think that things such as the smell of weed or a property having lots of visitors late at night isn’t worth reporting, but this helps us build a bigger picture of what’s going on.

“We can assure you that all reports are taken seriously and although it may appear as if they aren’t actioned right away, this intelligence allows us to orchestrate arrests such as these.”

*See Brighton & Hove Cab Trade View on page 66-67 for a discussion on cabbies being involved in drug runs.*



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# GREEN MEANS GO

## LONDON'S ULEZ EXPANDS AS BOUNDARY INCREASED TO INCLUDE HUGE RESIDENTIAL AREA

London's ULEZ initially covered the Congestion Charge zone in central London, but as UK Today News reports, on October 25, 2021, this was expanded to cover all parts of London within the North and South Circular roads. Unlike the Congestion Charge, the ULEZ operates 24 hours a day, seven days a week, 364 days a year – excluding Christmas Day.

Older vehicles, including motorbikes, that don't meet the tighter emissions standards have to pay £12.50 every day they are used within the ULEZ. Generally, vehicles affected include pre-2015 diesels and pre-2006 petrol cars – but charges will be enforced based on emissions rather than the car's age.

To drive in the ULEZ, petrol cars must meet the Euro 4 standard on emissions, and diesels, as well as larger vehicles, must meet Euro 6 standards.

TfL's "integrated impact assessment" claims about 565,000 cars registered in the capital will be liable if driven. It is estimated that an additional 100,000 cars, 3,000 lorries and 35,000 vans will be affected by the expanded zone every day. Failure to pay the charge to enter the ULEZ will result in a fine of £160 for cars, vans and motorbikes which will be

reduced to £80 if paid within 14 days. Lorries, coaches and larger vans will be charged £100 a day, with a £1,000 fine for failing to pay on time, reduced to £500 if paid within 14 days. These are **in addition to** any Congestion Charge that applies. TfL is in the process of erecting hundreds of signs warning motorists they will be entering the ULEZ where congestion charge zone signs are currently located.

There are currently about 1,000 congestion charge cameras, but there will be 18 times that number for the ULEZ. Cameras will read number plates and check if the vehicle meets the ULEZ standards.

By charging £12.50 a day, cash-strapped TfL will raise between £700million and £1.5billion. The congestion charge only brings in £230million a year.

The best way to be sure you comply with the low emissions standard is to check online. You can do this by inputting your vehicle's number plate into the TfL website: <https://tfl.gov.uk/modes/driving/check-your-vehicle/>

Some drivers and vehicles qualify for at least a temporary discount from the ULEZ charge. Others are entirely exempt.

- **London-licensed taxis are exempt from ULEZ charges.**

They are currently subject to a 15-year age limit - proposals are currently being reviewed to reduce this to 12 years.

- **All newly licensed taxis must be zero emission capable (ZEC) vehicles.**

- **Designated wheelchair-accessible PHVs used to carry out a private hire booking will be granted a grace period until 26 October 2025, during which they will be exempt from the ULEZ daily charge.**

These vehicles will only be exempt when carrying out a private hire booking for a TfL-licensed PHV operator. At all other times PHV owners will have to pay the charge if their designated wheelchair-accessible PHV does not meet the emissions standards and is not in the disabled or disabled passenger vehicle tax class.

See a list of designated wheelchair-accessible PHVs licensed by TfL here: <https://tfl.gov.uk/info-for/taxis-and-private-hire/passengers-and-accessibility>

If you feel that your vehicle should be on the list then email [tph.enquiries@tfl.gov.uk](mailto:tph.enquiries@tfl.gov.uk)

- PHVs that do not meet the emissions standards and are not wheelchair-accessible must pay the full ULEZ charge to drive within the zone.

- Many not-for-profit organisations that operate minibuses used for community transport can register for a temporary 100% discount of the ULEZ charge until 29 October 2023.

- Keepers of vehicles registered with a 'disabled' or 'disabled passenger vehicles' tax class will be exempt from the ULEZ charge until 26 October 2025 as long as their vehicle doesn't change tax class.

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# GREEN MEANS GO

## CABBIES FACING FINANCIAL CRISIS WARN THEY WON'T MEET **GLASGOW'S** LOW EMISSION ZONE

Calls have been made for Low Emission Zone (LEZ) relief for Glasgow's cabbies to meet the standards.

According to the Glasgow Times, Unite Scotland's Cab Section has pleaded with Glasgow City Council and the Scottish Government to extend the deadline by four years. Branch Secretary, Steven Grant, has warned that cabbies will be unable to meet the deadline of June 2023.

He said: "We have lost 18 months of trade to the pandemic with drivers losing out on money that would have been invested in new vehicles.

"If you factor in the fact that 75% of hackney cabs are currently non-

compliant, there is no way they will be able to meet the deadline for 2023."

LEZ phase two will require all vehicles entering the city centre to meet Euro 4 and Euro 6 emission regulations. Unite argues that an extended deadline will allow the EV market to improve.

Steven said: "The LEZ doesn't address CO<sup>2</sup> emissions, which is the focus of climate emergency. It primarily focuses on NOx emissions. Allowing extra time to transition to EVs rather than taking on new diesel ones, is a long-term benefit for the climate emergency."

Tory group leader, Thomas Kerr, wrote a letter to the City Convener for Sustainability and Carbon Reduction, Cllr Anna

Richardson, stating: "I'm calling on the SNP in Glasgow to bring some relief to our taxi drivers and extend the amount of time they have to make this transition. This will also allow the used electric taxi market to mature and charging infrastructure to catch up."

Meanwhile, interest-free loans of up to £120,000 have been made available by Energy Saving Trust to enable owners and operators of hackneys to replace vehicles over eight years with new, efficient models.

However, Unite claims that drivers will be deterred from applying for them due to debts accumulated during the lockdowns.

## **SHEFFIELD** CITY CENTRE CLEAN AIR ZONE APPROVED AS COUNCIL SETS OUT POLLUTION PLAN

Leading councillors approved plans for a Clean Air Zone that will see the most polluting vehicles pay a daily charge to access Sheffield city centre.

The council has adopted a Category C CAZ. This means the most polluting buses, taxis, vans, coaches and lorries will pay a charge to enter the city.

Before the zone is introduced, a second citywide consultation will take place in November. This will focus on packages of support to help local businesses and taxi drivers reduce their emissions. This support includes grants and loans for retrofits to existing vehicles or towards the cost of a replacement vehicle.

The boundary of the zone covers the city centre and the inner ring road.

The vehicles that will be charged are:

- Buses, taxis, vans, lorries and coaches which do not meet the Euro 6 diesel or Euro 4 petrol emissions standard will be charged.

- Private cars and motorbikes will not be charged.

- The previous standard for taxis will be

lowered. PHVs and hackney carriages no longer need to be Ultra Low Emissions and **can be Euro 6 Diesel or Euro 4 Petrol.**

Vehicles that do not meet these standards will be charged:

- £10 per day for LGVs and taxis/PHVs
- £50 per day for coaches, buses, HGVs

The government has awarded Sheffield City Council £20 million to help people upgrade to compliant vehicles.

The support on offer includes:

- Hackney carriages: Up to £10,000 grant or interest-free loan to upgrade

to a WAV

- PHVs: Up to £3,000 grant or interest-free loan

- Local bus and coach operators: up to £16,000 grant

Only one financial support package will be available per vehicle. This is not a complete list of the support available. The support packages will be open for consultation to enable feedback to help shape them.

There are national exemptions to the charge with local exemptions being open to consultation.

### **PORTSMOUTH** CAZ TO LAUNCH ON 29 NOVEMBER 2021

At Portsmouth City Council's October cabinet meeting a recommendation was made to councillors that the Portsmouth CAZ is approved and charging of non-compliant vehicles will begin on 29 November 2021.

Buses, coaches, taxis, PHVs and heavy goods vehicles which do not meet euro 6 standards (diesel) or euro 4 standard (petrol) will be charged.

Vans and private cars will not be charged in Portsmouth, no matter how old.

You can check if you'll be charged at: <https://www.gov.uk/clean-air-zones>



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Fuel Consumption figures for the Toyota Corolla Saloon 1.8 VVTi Icon CVT Hybrid MPG (l/100km): WLTP Combined 55.3-62.7. CO2 emissions: 102 g/km. Kia Ceed 1.6 CRDi 48V ISG 2 NAV 5dr - Combined MPG (l/100km): 54.3 (5.2). Carbon Dioxide (CO2) Emissions (g/km) 119 g/km. SKODA Octavia 1.0 TSI e-TEC SE DSG Hybrid MPG (l/100km): WLTP Combined 44.9-56.5. CO2 emissions: 115-143 g/km. SEAT Leon 1.0 TSI SE MPG (l/100km): WLTP Combined 50. CO2 emissions: 127 g/km. Figures shown are for comparability purposes; only compare fuel consumption and CO2 figures with other cars tested to the same technical procedures. These figures may not reflect real life driving results, which will depend upon a number of factors including accessories fitted (post-registration), variations in weather, driving styles and vehicle load.

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**The Taxi Centre**

\*\*Savings shown against manufacturer's recommended retail price.

# ROUND THE COUNCILS

## STAFFORD:

### BARCODES USED IN VEHICLES FOR COMPLAINTS

A new QR code has been rolled out across taxis in Stafford Borough to help people give feedback to the local council. In Your Area reports that a sticker with the code will be displayed inside taxi and private hire vehicles that are licensed in the borough with customers able to share comments, compliments, or complaints using their phones. The new QR code is part of changes to Stafford Borough Council's licensing policy to implement the Department for Transport (DfT) Statutory Taxi and Private Hire vehicle standards. The aim is to have a consistent standard and better regulation of the sector.

Councillor Jonathan Price, Cabinet Member for Environment, said: "We get some great feedback from customers and it's good to hear how the trade goes that extra mile to help passengers.

"We want to make sure that passengers of taxis and private hire vehicles receive the best service, especially as one of the first experiences a visitor may have of the borough is with our licensed trade - picking up customers from railway stations for example.

"We have introduced a compliment, comment, complaint sticker to be displayed on the rear, side windows of each licensed vehicle which will be issued to all drivers.

"This contains a QR code which puts a customer through to the appropriate form for reporting purposes."

He added that the feedback would also help assess whether a driver was suitable to have a licence.

The new measures were brought in following consultation with members of the local hackney carriage and private hire trade, Stafford and District Access Group, police, and Staffordshire County Council earlier this year.

## BARROW:

### NEW STANDARDS TO BE INTRODUCED

New standards on who can hold a licence to drive a taxi are due to be brought in by Barrow Council.

According to the North West Evening Mail, new rules on cabbies having criminal convictions, vaping in vehicles and standards of behaviour are due to be signed off by councillors.

Members of the licensing committee considered the new regulations before presenting them to the council's executive committee.

A report said: "The council has a duty to ensure that those licensed to drive hackney carriages and private hire vehicles are suitable persons to do so.

"The same principle is applied to those licensed to operate vehicles and vehicle proprietors alike."

The draft Hackney Carriage and Private Hire Licensing Policy 2021 says that applicants for taxi licences should be 'free from previous convictions', however 'a person with convictions, cautions or reprimands will not be excluded from holding a licence but should be expected to have remained free of conviction for an appropriate period and shown adequate evidence of good character from the time of conviction'.

Drivers must also notify the town hall within 48 hours if they are interviewed by police under caution, arrested, charged or convicted of a crime.

According to documents, a government policy to have CCTV in taxis is not being adopted in Barrow but the change is due to be consulted on in future.

New standards of behaviour and dress are also being implemented.

## WOKINGHAM:

### ANGER AS BID TO FREEZE FEES SQUASHED

Anger has followed the bid to freeze licence fees for taxi drivers in Wokingham being thrown out.

During a meeting of the licensing and appeals committee earlier this year, it was suggested fees for licensed taxi drivers in Wokingham should be frozen.

Previously, licence fees for hackney carriages and private hire drivers, stood at £248, but this has since been increased by £42 to £290 for this financial year (2021/22).

There were discussions about an increase in March 2020, but these appear to have been reversed because of the impact of the pandemic.

Yet a bid to keep the licence fees at £248 appears to have been ignored by Wokingham Borough Council's executive committee.

At a meeting of licensing and appeals committee in June, Cllr Rachel Burgess proposed freezing licence fees for private hire vehicles a second time. She also suggested that any driver who had paid the higher fee of £290 should be reimbursed the extra £42 they paid, in a motion which was seconded by Cllr Sarah Kerr and passed.

But when Cllr Kerr followed up on whether the taxi drivers had been reimbursed, it was revealed at a licensing meeting on Wednesday, October 21 that the suggestion was never properly decided upon by the council's executive.

Responding to Cllr Kerr's question, Stephen Brown, the interim assistant director of place at Wokingham Borough Council said: "The short answer is no.

"The executive made a decision that they would not continue to subsidise taxi licences, and that they would revert to the fares that were originally subscribed, so there were no refunds."



# ROUND THE COUNCILS

## BARNSELEY:

### TAXI FARE INCREASE TO BE DECIDED

The Hackney Carriage Association submitted a request to Barnsley Council's licensing department to increase the base rate by 40p to bring hackney carriage fares in line with private hire charges.

The Star reports that the association says the price hike would help towards the "significant rise" in fuel costs, running costs and insurance.

This would mean that the first mile of a journey would increase from £3.80 to £4.20.

The council's general licensing regulatory board opened a public consultation on the matter, after asking drivers to submit evidence of rising costs. Six responses were received, two in support of the increase and four objecting.

Rob Taylor, secretary of the Barnsley Hackney Carriage Association said in a document: "Fuel has been on a roller-coaster over the last two years and now stands at £1.36 per litre, a big increase from £1.12 pre pandemic equating to over £1.08 per gallon more. Insurance for Public Hire Vehicles have risen by over 12 per cent in the last year alone.

Documents submitted by Shaun Jeffers, chairman of the association, said that some drivers are earning less than minimum wage. "Barnsley councillors are asking for proof that our costs have increased when it is plainly obvious that they have," the documents state.

However, four objections to the rise were received from members of the public.

Members of the council's general licensing regulatory board will decide the increase at their next meeting.

## LEEDS:

### CONSULTATION ON SUITABILITY POLICY

Currently, people who apply for, or hold a taxi or private hire licence, can be granted a licence by the council even if they have up to 12 points on their DVLA driving licence

The council revised its Suitability (Convictions) Policy in February 2020, bringing Leeds City Council standards into line with five neighbouring authorities and many more across the UK.

However, the standard relating to minor traffic or vehicle related offences was objected to by drivers, leading to further consideration of it.

Following a long consultation with stakeholders and further work the Council's Licensing Committee have recommended and Executive Board have agreed that the public should be consulted on the following new standard:

1. Applications for a taxi or private hire driver licence be refused when an applicant has 7 or more points for minor convictions showing on their driving licence;

2. Existing licence holders reaching 7 or 8 points for minor convictions will receive a warning and may be required to attend training; and

3. Existing licence holders reaching 9 or more points for minor convictions may have their licence refused or revoked. The council is asking for the public, including drivers and passengers to comment on this change so it can take into consideration the views of everyone before deciding whether to approve it as part of the Taxi and Private Hire Suitability (Convictions) Policy.

You can give us your views by completing our online survey before 10pm Monday 15th November 2021.

Click here to complete the survey:

[https://surveys.leeds.gov.uk/s/XVG8SG/?utm\\_medium=email...](https://surveys.leeds.gov.uk/s/XVG8SG/?utm_medium=email...)

## CRAVEN:

### POLICY AMENDED TO MEET NEW STANDARDS

Craven taxi and private hire drivers will have to have CCTV cameras fitted in their vehicles from 1 January 2022. The council's Licensing Committee determined to mandate taxi cameras in all vehicles from the new year following DfT advice. The district is the first in North Yorkshire to make them mandatory. After deferring implementation of the policy for two years, the licensing committee agreed it should now be brought in without delay. (See CCTV feature on page 32 for further details.)

Councillors also agreed to amend Craven District Council's Taxi Policy to meet the new Statutory Taxi and Private Hire Vehicle Standards where it currently doesn't. The Council's Hackney Carriage and Private Hire Policy, adopted in 2018, already met the majority of the recommendations but there are now new guidelines that increase the amount of time that must pass following certain convictions before a driver can be licensed by the authority.

The new standards will also see new conditions for private hire operators, such as a requirement for operators to carry out checks and keep records on booking and dispatch staff. Councillors also agreed at the committee meeting to adopt the use of the national register of taxi and private hire vehicle driver licence refusals and revocations. Currently, if drivers do not disclose information about a previous revocation or refusal to grant a licence, there is often no way for the council to know otherwise. This means that vital intelligence about an applicant's past behaviour can be missed and an individual may be able to be licensed in another area despite having a previous licence revoked or an application refused. The register is developed and hosted by the National Anti-Fraud Network (NAFN).

# ROUND THE COUNCILS

## INVERCLYDE:

### FLAW IN TAXI LICENCE APPLICATION PROCESS

A flaw in how taxi licence applications are handled by Inverclyde Council has been discovered during an internal audit by council chiefs. According to the Greenock Telegraph, as part of the work, the local authority's licensing team carry out a number of checks on each new application form, including checking that the address on the new application matches the address on the applicant's driver's licence.

If this is found not to match, staff contact the applicant to prompt them to update the driver's licence to their current address and provide a copy.

The audit however found that licensing staff do not carry out any further checks on the address, leaving a risk that the data provided may be fraudulent.

The findings were discussed at a meeting of the council's Audit Committee on October 19 where it was recommended that "Members agree to note the progress made by internal audit in the period from 29 July to 27 September 2019".

## WORCESTER:

### CRIMINAL CHECKS PROPOSED

Worcester City Council has drawn up proposed changes to its Hackney Carriage and Private Hire Licensing Policy in response to national guidance published by the Government. "This is an important consultation which we are contacting operators and the trade about directly, and I hope as many residents and passengers as possible will give us their views. Cllr Allah Ditta, chair of the City Council's Licensing and Environmental Health Committee, said: "The last 20 months have been difficult for our city's taxi drivers and I want to thank them for continuing to operate through such a challenging time.

"These new rules are good news for them and their customers, helping passengers to feel safe and helping drivers to report their concerns if they spot vulnerable people who might be at risk of exploitation," he added.

Customers, residents and taxi drivers can visit:

[www.worcester.gov.uk/voiceit](http://www.worcester.gov.uk/voiceit) by January 7 to air their views.

## HYNDBURN:

### HALF OF TAXIS AND PHVS CHECKED HAD FAULTS

A Hyndburn taxi safety operation has found that half of the vehicles tested had faults.

LancsLive reports that the routine checks were carried out last month by Hyndburn Borough Council licensing officers, with the support of police and mechanics.

In an email neighbourhood alert, PC Graham Hartley said 12 council-licensed vehicles were checked, of which six had no faults. But one was served with immediate prohibition, four had delayed faults, and one Section 68 notice (fitness of private hire vehicles) was issued.

PC Hartley said: "This was a very good example of partnership working to ensure that members of the local community who use HBC taxis can be assured that the vehicles that they are getting into are fit and safe for purpose."

In a statement, a council spokesperson said: "Only one vehicle exhibited a serious fault and was issued with a suspension notice by the council and a prohibition notice from VOSA.

"Other vehicle faults reported were either corrected at the time, or indicated by dashboard notifications and scheduled to be fixed at the earliest opportunity.

"Examples included an advisory notice for a tyre and for another vehicle, a small amount of rust.

"The safety of Hyndburn residents and our taxi drivers is something we take very seriously and we will continue to ensure our vehicles are correctly maintained."

## WEYMOUTH AND PORTLAND:

### NEW REGULATIONS TO LIMIT NUMBER OF TAXIS

Hackney carriage licences in Weymouth and Portland are likely to be limited to 80 vehicles over the next three years.

The proposal is expected to become part of new taxi regulations which will be agreed by Dorset Council later this year. The Dorset Echo reports that the area is the only place in the rural county where there is said to be no unmet demand, apart for WAVs, which are still likely to be approved in the area provided they meet the criteria.

The new policy, which brings together the regulations for the whole of the Dorset Council area for the first time, sets out rules for safeguarding checks, driver conduct, fares and fare cards, the duty to carry guide dogs and assistant dogs, how to deal with found property and how to deal with customer and other personal information.

The regulations include the standard vehicles are expected to meet although it lays down no limits on the age, mileage or type of vehicle, other than to say they must pass a twice yearly mechanical check.

Councillors were told that, although it could not be enforced, drivers would be encouraged to use EVs or zero emission vehicles when considering a replacement.

The new policy brings together regulations and standards from the six, previous, Dorset councils and comes about after meetings of stakeholder groups earlier in the year and a 12-week public consultation which ended in September and attracted 35 comments.



# ROUND THE COUNCILS

## CHELTENHAM:

### COUNCIL COMMITS TO REVIEWING ITS WAV POLICY

On Tuesday, 21 September, the council announced that the implementation date of 31 December 2021 of its WAV policy for taxis will be removed and has committed to quickly reviewing and implementing an updated WAV policy to bring this into line with its 2030 climate ambition, aiming for Cheltenham taxis to be both WAV and carbon zero.

As part of the council's commitment, the licensing team invited the LEVC to Cheltenham to demonstrate alternative, greener WAVs for Cheltenham taxi drivers to test drive.

Cllr Martin Horwood, member for customer and regulatory services, said: "My ambition is to develop a policy where we have a 100% zero carbon and wheelchair accessible taxis. The climate emergency motion passed by Council in 2019 commits to Cheltenham being zero carbon by 2030 and accessibility remains a priority for the council.

"The revised policy will be developed through extensive engagement with representatives of the licensed trade and disability groups, with advice from our climate change team.

"We need a comprehensive plan covering charging infrastructure implementation, affordability and finance for drivers,

likely government disability legislation and air quality considerations. In the meantime, I also want to deliver an immediate increase in the availability of taxis for wheelchair users in Cheltenham. To make this happen we are in discussions with an app developer to make it much easier to hail one of the 70 WAV taxis we already have."

The council recognises the investment made by drivers who have already converted to WAVs, and will ensure that the further move to zero carbon will be phased in for those with existing WAVs. New applicants will still be required to license a WAV taxi, so the WAV numbers will continue to increase.

Andrew Pyrka spokesperson for Cheltenham Taxi Association added: "We are delighted that the council has decided to lift the deadline on the WAV policy, in light of the difficult times drivers have had over the last 18 months. We look forward to working with the council on a policy that serves the needs of the disabled and protects the environment."

Further information can be found here:

[https://www.cheltenham.gov.uk/info/11/licensing\\_and\\_permits](https://www.cheltenham.gov.uk/info/11/licensing_and_permits)

## CLIENT TRANSPORT SERVICES OPPORTUNITIES IN KENT



### KENT COUNTY COUNCIL IS SEEKING EXPRESSIONS OF INTEREST FROM LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE OPERATORS/DRIVERS TO PROVIDE HOME TO SCHOOL AND SIMILAR CLIENT TRANSPORT SERVICES

The County Council currently engages with around 400 transport providers but is keen to attract additional suppliers to meet the current and future demand for transport services for our residents.

Please contact the Public Transport Compliance Team to discuss our requirements and the on-boarding process.

Call **03000 419929** or email [compliance.publictransport@kent.gov.uk](mailto:compliance.publictransport@kent.gov.uk)

New suppliers are also invited to register on the Kent Business Portal which provides comprehensive information and is where you can view the tender opportunity - search for **SS15 124**

<https://www.kent.gov.uk/business/doing-business-with-kent-county-council/supply-goods-and-services/kent-business-portal>



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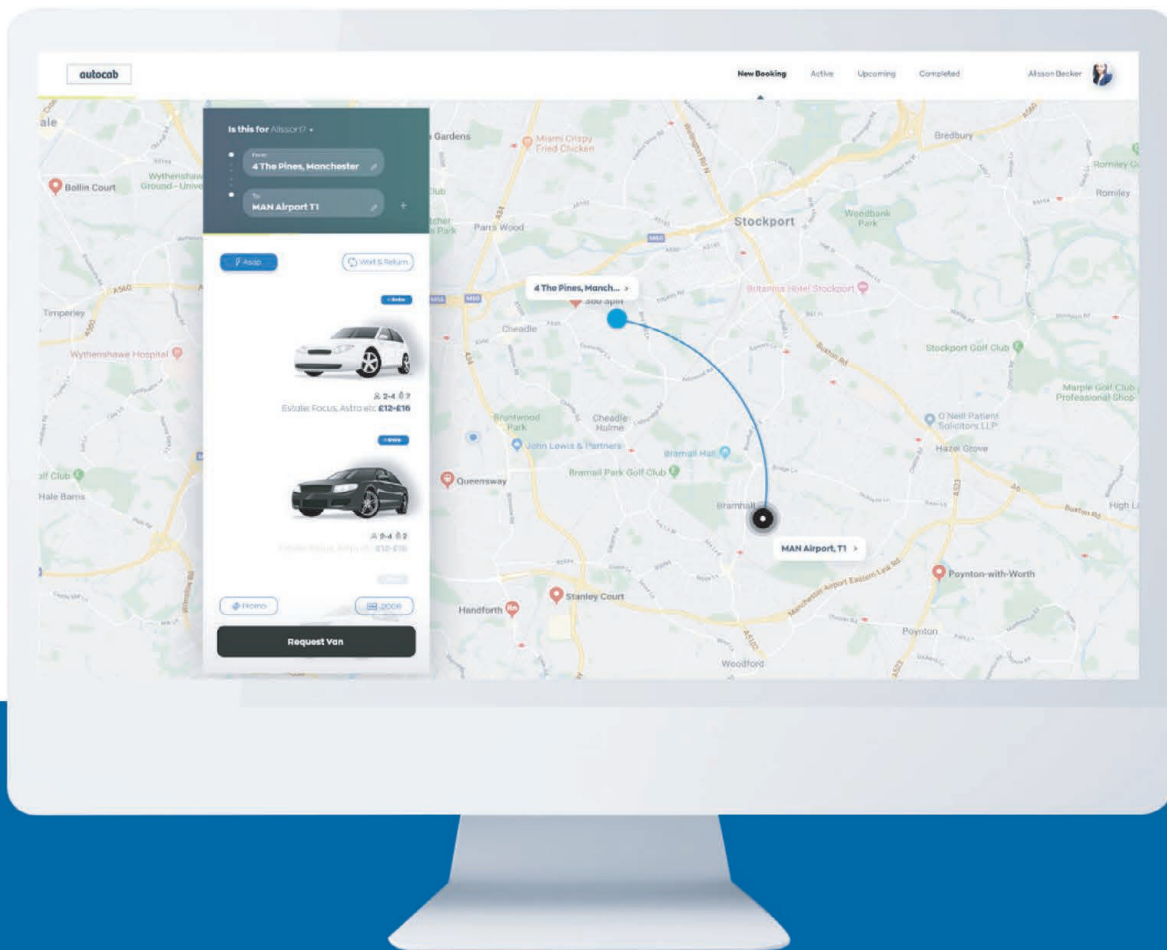
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# A CHORLEY CABBIE'S CAUTIONARY TALE

## HELPING SOMEONE MIGHT NOT CHANGE THE WHOLE WORLD BUT IT COULD CHANGE THE WORLD FOR ONE PERSON

Shakail Ahmed was a successful entrepreneur and well known cabbie with an 18-year clean driving record before he hit "rock bottom" after losing both his licence and his business. However, now after just two years, he has rebuilt his life and regained his badge thanks to the kindness and support of business rival Shaz Malik.

Chorley Council initially issued a warning to Shakail after he was caught on CCTV clipping a hedge at speed whilst retrieving a drinks bottle from under his pedal. He was then reported for hitting a kerb whilst carrying passengers and for using an unlicensed vehicle to carry out a private hire booking. This resulted in the council deciding that Shakail was not fit and proper and his licence was revoked for five years.

Shakail told **PHTM**: *"It's no excuse, but these incidents were caused by tiredness. For many years I worked seven days a week, driving long hours as well as managing my own fleet of cars. If that meant me working 20 hours a day so as not to let down my customers, that's what I did."*

*"The reality is as you get older, you can't do what you used to do. You can't stay up all day and all night; the human body needs to rest. However, I carried on, I ignored the signs. But eventually it catches up with you. One day, I started to nod off whilst driving. This had never happened to me before but I told myself I can still work a few more hours, I'll down a couple of black coffees, dose up on red bulls and wind down the windows, that will keep me awake."*

*"When my licence was revoked I was devastated. It felt like the last eighteen years of my life had meant nothing. I was mentally exhausted with little fight left in me and had no option but to sell my businesses, Four Fours, Star Cars and Eccleston Private Hire, to Four Sixes a rival private hire firm in Chorley."*

*"The rest of the trade turned their backs on me. I had lost everything and in desperation I asked Shaz Malik, director of Four Sixes, if he would give me a job. He agreed, as long as I acknowledged that I had made some bad decisions and that I was prepared to learn from them."*

*"When I started as a radio controller at Four Sixes I was really nervous as I had lost my confidence. However, Shaz was supportive and patient. He reminded me that I had built a great business which I had only lost due to my own foolishness. He told me to stop dwelling on the past, look to the future and encouraged me to find the positives out of a bad situation."*

Shaz supported and nurtured Shakail when no one else



cared; he helped him to refocus, relearn skills and even encouraged him to reapply for his taxi licence.

Shaz said: *"Shakail is not a bad person he just made some bad decisions. When someone is down, I believe in helping them back up; he needed support and I wanted to give him that. The council was right to revoke his licence as he was involved in three serious incidents. It is therefore a major achievement for him and a reflection how far he has come and how much he has learned that he has successfully reapplied in just two years."*

*"In fact Shakail has been a huge asset to our company. He is the best base operator we have ever had and a diligent member of our team who I am proud to say is now also one of our most reliable and responsible drivers."*

Shakail added: *"I cannot thank Shaz enough. He was the only person in the trade who was willing to give me a second chance. With hindsight I now totally agree with the council's decision in 2019, as if they hadn't taken me off the road then, I don't know where I would be today. I am different person now, everyone tells me, and it's a great feeling. I thought I would never regain my taxi badge, but I have turned my life around. I now believe anything is possible."*

*"I wanted to share my story so that other cabbies learn from my mistakes. Our trade is 24/7/365 so before you take that next booking, if you are tired then please go and rest; don't do what I did thinking you can carry on by drinking coffees and energy drinks - this is not a solution."*

*"We sometimes forget in our busy lives that sleep is equally as important as eating, drinking and spending time with our family and friends. Keep yourself and your passengers safe. and find balance in your life!"*



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# CCTV - YOUR SECURITY

## NORTH EAST DERBYSHIRE COUNCIL MAKES CCTV COMPULSORY

CCTV in North East Derbyshire taxis and PHVs has been made compulsory.

The Derbyshire Times reports that the decision was made in a bid to improve safety by North East Derbyshire District Council (NEDDC) on 4 October.

A report to the council stated that the cost of the cameras would be split between taxi owners and the local authority. The council said it would need to bear the cost of buying and maintaining equipment to access footage and pay for staff to obtain and view footage.

Training will also be required for vehicle inspectors to verify installation as well as data protection guidance for drivers. Cllr Heather Liggett said after speaking

to taxi drivers, she was shocked at how many of them were in favour. "They say it will make their lives easier," she said. Derbyshire's Police and Crime Commissioner, Angelique Foster, has offered her full backing to NEDDC after it became the first in the county to make CCTV compulsory in taxis.

Commissioner Angelique Foster has already thrown down the gauntlet to local councils throughout Derbyshire to follow NEDDC's lead by writing to every local authority in Derbyshire to encourage full take-up of the approach. Following discussions with other licensing officers across Derbyshire, it is understood that other local authorities are preparing to consult the public on a

range of new measures to boost safety, which may include the use of CCTV.

The DfT issued Statutory Guidance in 2020 suggesting that CCTV can provide a deterrent to prevent crime and help bring perpetrators to justice. Derbyshire police recently used footage taken from a taxi CCTV camera to assist in providing evidence to tackle a County Line that exploited young people and vulnerable adults in Derby City. The crucial footage enabled officers to submit compelling evidence which led to the successful prosecution of 11 individuals who received more than 40 years behind bars. Meanwhile, a number of vulnerable children were identified and safeguarded from the gang.

## CRAVEN CABBIES GIVEN UNTIL NEW YEAR TO GET CCTV CAMERAS FITTED

Craven taxi and private hire drivers will have to have CCTV cameras fitted in their vehicles from 1 January 2022.

The council's Licensing Committee determined to mandate taxi cameras in all vehicles from the new year following DfT advice that CCTV increases public safety. The district is the first in North Yorkshire to make them mandatory.

After deferring implementation of the policy for two years, the licensing committee agreed it should now be brought in without further delay.

Cllr Simon Myers, chairman of the Licensing Committee, said: "Taxi cameras should provide an additional deterrence to prevent risks to both passengers and drivers, and they can also add investigative value when the council or the police are required to look into incidents or complaints against drivers or passengers."

There will also be a Hardship Policy where drivers not able to afford the £450 to £630 cost of instalment will be

able to apply for a longer period of time to get a camera fitted in order to save up.

Drivers who apply for hardship exemption will be assessed by the licensing manager, the chairman and deputy chairman of the licensing committee and the council solicitor.

New taxi and PHVs have been required to have cameras installed since the start of 2021 and so far, 15 have had them fitted.

The decision sparked a protest by cabbies on 20 October with around 30 taxis and PHVs taking part in a rolling roadblock in Skipton. The protest was organised by cab driver Peter Hubbuck and involved circuits of the high street lasting around 15 minutes in a convoy of vehicles from the bus station car park.

Mr Hubbuck said: "Craven DC's licensing committee must think taxi drivers are made of money by making drivers pay for something they don't want and the general public don't want," he said.

"Times have been very difficult over the past 18 months and we have had no help whatsoever from the council; whereas in other council districts there has been free badges, free plates, hand sanitiser, the list goes on.

"A camera costs approximately £500 - an amount that most of the drivers do not have as we are still trying to catch up on our bills. Taxi fares have not increased in the last 10 years, and the cost of living has gone up."

In response a spokesperson from the council said: "The council approved the CCTV in taxi scheme after we consulted widely with the trade and the public over several years. The council has delayed the scheme three times after listening to feedback and concerns from the trade and taking into account the financial impact of the pandemic.

"However, when the scheme was recently brought back again it was agreed all licensed vehicles should have CCTV."



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# TAXI LAW...TAXI LAW..

## WORKER STATUS: NO TWO CASES ARE THE SAME

### THE LAY OF THE LAND

Ever since the Supreme Court's judgment in **Uber BV and Others v Aslam and Others [2021] UKSC 5** many stakeholders in the private hire and taxi industry are wondering whether or not they are a worker or whether or not their drivers are workers.

The implications of the answer to this question can be massive. A finding that a driver is a worker rather than being self-employed means that the driver is entitled to a set of rights protected by employment law.

These include, for example:

- the right to the National Minimum Wage under the **National Minimum Wage Act 1998**
- the right not to have unlawful deductions from their wages under the **Employment Rights Act 1996**
- the right to paid holiday/annual leave under the **Working Time Regulations 1998**
- the right to rest breaks depending on the working time under the **Working Time Regulations 1998**

These rights must be observed by the worker's employer i.e. the taxi firm/operator and so if a driver is found to be a worker, they can claim losses from the operator for breaching these rights. For example, holiday pay that should have been paid but was not.

**Importantly: this applies even if the employer never realised, knew or even thought that the worker was a worker rather than being self-employed.**

It is **not** a defence for an operator, once an individual has been found to be a worker rather than being self-employed, to simply say: *"Well now I know this person is a worker, but I didn't know back then and so I only have to start adhering to their worker rights (such as paying them holiday pay) from today"*.

There is a lot of confusion, it's fair to say, in determining worker status claims. The short and simple answer is that there is no definitive answer because each and every case is different: with different facts, different types of evidence, different qualities of evidence and different



parties and witnesses. This is the reason why lawyers and advisors cannot simply come up with a grid or a set of questions the answers to which will mean a driver is or is not a worker.

### HOW IS THE ISSUE LIKELY TO BE DETERMINED?

An Employment Tribunal will be well aware of the Uber judgment. It will faithfully apply the case law (which also includes other cases such as **Autoclenz Limited v. Belcher [2011] 4 All E.R. 745** and the Court of Appeal judgment in **Uber [2019] 3 All E.R. 489**) to the facts of the particular case with that particular operator and that particular worker.

Although there is a danger that the Employment Tribunal simply slides towards a 'contrast and compare' with the Uber judgment(s), instead, it ought to interpret the statutory provisions from all of the circumstances of the case with the agreement formed between the parties being only part of those circumstances.

In assessing a case, a Tribunal will also look at the nature and the quality of the parties' evidence to enable the circumstances to be established. This is why early advice and the gathering of evidence is important. Like any litigation, the careful collation and presentation of evidence is important, as is case presentation. Tactical decisions have to be made early to lay solid foundations for success or the mitigation/reduction of any potential liability.

### WHAT ABOUT V.A.T. AND OTHER TAXES?

Worker status is also related to another area of law – tax. This is equally, if not more, financially important to parties. H.M.R.C. is also likely to be involved.



# ..TAXI LAW...TAXI LAW

Some tax issues directly flow from a driver's status as a worker – for example, National Insurance contributions. Others, such as V.A.T. are based (amongst other things) on whether or not the operator is acting as an agent or principal in a particular situation. Again, this is to do with the proper construction and interpretation by tribunals and courts of the relationship between drivers and operators and also third parties.

So, if operator A is registered for V.A.T., as most operators are, when their driver Mr. X picks up a fare through the dispatch system used, who is liable for the V.A.T.? Is it the operator because the customer books through them? Or is it the driver who earns the fare at the end of the journey on which they took the customer?

This article highlights that questions of the operator: driver relationship have far-reaching consequences, not just in terms of employment law but crossing over into a wider array of areas. However the theme remains the same – there is no definitive answer because each and every case is different and early advice and practical and tactical decisions are vitally important.

## Article written by:

**Henry Skudra** – Henry is a barrister at Citadel Chambers with specialist expertise in all types of taxi law matters, which covers employment, tax (both direct and indirect), commercial and licensing matters. His broad practice and experience means he can advise across the whole spectrum of legal issues that those in the industry face.

and  
**Conor Nolan** – TaxiLaw

**Disclaimer:** *this article is for information only, and does not constitute legal advice.*

*Anyone with concerns about the issues raised or wishing to find out more information is urged to seek legal advice.*

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# THE SWITCH TO ELECTRIC TRANSPORT IS HERE ARE YOU READY?

**With the number of EVs now on the road rapidly growing, this exposes the current development of public-facing rapid charging infrastructure to cope with the increased demand. Taxis and PHVs require far more daily charging than average drivers' needs and most business models require access to rapid chargers.**

If public-facing infrastructure is solely relied on, then convenient locations, availability, reliability and also speed and cost of charge would all be important factors to consider to make the transition viable. Many local authorities are still struggling to coordinate available funds into chargers on the ground in time to service your needs ahead of imposed clean air zones (CAZ's) so therefore all options need to be explored - and this presents many opportunities.

## **So how should cab operators approach the EV opportunity?**

One reason companies have held off to date is uncertainty around business direction, and more importantly, around timing - due to the aforementioned public infrastructure and suitable vehicle range and costs. While it's pretty clear that EVs are replacing petrol and diesel vehicles, investing in suitable vehicles and infrastructure now raises many questions.

## **What fleet strategy should you employ?**

Commercial Taxi / PHV fleet operations can mitigate the risk of sole reliance on public charger reliability, availability and per kWh cost with a tailored in-house strategy to minimise the need for public charging facilities.

## **EV fleet management is also energy management**

This demands a mix of solutions:

- Workplace depot charging infrastructure: including rapid DC (same as public rapid chargers) enabling double-shifting cars between drivers - as a rapid charge can be done inside an hour and between shifts.
- Overnight charging using fast AC chargers to replenish vehicles ready for the next day.
- Home charging where possible to enable extremely low-peak charging tariffs available to support EV drivers - (expect to charge EVs for c.100 miles for as little as £1.40).
- Smartback office management software to measure and manage energy use and costs across all charging infrastructure.

## **No-one wants to spend heavily investing on 'stranded assets'**

This is why it is so important that fleets should work in partnership - with independent experts - who in turn work with local authorities, energy networks, charging companies, digital solution providers and more - and who can gain an understanding of a fleet's needs and develop a business model tailored to this early phase of the EV revolution, while cities manage their public networks to cope with the demand.

## **Building fleet infrastructure around existing demand**

Developing an understanding of the energy demands and

how taxi and PH fleets will use EVs is critical in sizing, scaling and designing the right supporting infrastructure.

Outside of the home charging model: We see two models leading to distinct new market opportunities and contributing to de-risk the charging investment:

**1. De-centralising and renewable energy supply** - Solar and alternative clean energy generation and Battery Storage - used for balancing services.

This delivers higher revenue possibilities - not only allowing 3rd party 'guest' drivers to use your own facilities at lower cost to public charging facilities, but also fuelling your own fleet for far less - and completely green.

This can also head off complications and costs associated with grid supply upgrades, which can be onerous in cost and timeline - depending on locations.

**2. A chance to define your market** - a new and developing market provides great opportunities to set new market standards and consumer expectations. No longer dependent on forecourt fuel pricing allows a more democratised consumption of energy and an ability for creating innovative business and tariff solutions, including options for customers to choose a green form of cab.

But to achieve this, it will be advantageous for taxi/PHV fleets to develop partnerships and relationships with an EV consultant that can design, deliver and manage what is essentially an entirely new public mobility proposition.

## **A once in a life-time opportunity**

EVs are fast approaching the moment where they redefine your market. For fleet operators, it's a great time to re-establish your name, presence and commitment to the environment and contribute to offsetting the climate crisis, while we help reduce the cost and risk and maximise your profit.

It's worth knowing that the 2021 budget introduced a 'super-deduction' tax relief of 130% for company investments on plant/machinery (available until end March 2023). EVs, supporting infrastructure and installation costs should also be eligible for this.

EVs - if planned correctly will continue to be a more cost effective and intelligent option. Can you afford not to investigate further?

Article supplied by Tim Scrafton

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## SADIQ KHAN VISITS LEVC FACTORY AS HE LOOKS TO INCREASE LONDON'S CHARGE POINTS

London mayor Sadiq Khan joined his west Midlands counterpart Andy Street for a visit to the London Electric Vehicle Company factory in Coventry. It came as Khan outlined plans to increase the number of EV charge points in the capital as part of his 2030 Electric Vehicle Infrastructure Strategy.

Car Dealer Magazine reports that more than 4,300 of the purpose-built TX electric taxi have been sold in the capital since 2018. The TX has a 63-mile zero-emission pure-electric range, with 316 miles said to be possible via an on-board range-extender.

New modelling from Transport for London (TfL) estimates that by 2030 London could need 40,000 to 60,000 charge points, of which up to 4,000 will be rapid points that could fully charge a vehicle in 20 minutes. It is thought that public sector land could accommodate around 1,000 of them.

While in Coventry on Friday 15 Oct, Khan also visited London's Ultra Low Emission Zone (ULEZ) control centre at Capita. He said: "I'm committed to building bridges

between London and the rest of our country and showcasing how the capital can help the national recovery and levelling-up agenda.

"Together, Capita's TfL contracts and the LEVC in Coventry employ 2,200 people in the west Midlands and north of England, showing clearly how London relies on the skills of other regions, and that investment in our capital can help create quality green jobs across the country.

"Tackling the climate crisis and growing our economy across the UK is about regions working together and investing in new technologies."

Andy Street said: "Today's visit by the mayor of London shows how vital the West Midlands is to the wider UK economy, as well as how we're a key player in the fight against climate change. Not only is the LEVC helping both our region and the capital tackle the climate emergency with its state-of-the-art electric taxis, but just down the road we also have Capita using its west Midlands base to control London's Ultra-Low Emission Zone.

"The work these two companies are doing with London is testament to how levelling up the west Midlands will be critical to the UK's future success."

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## ADDISON LEE TO RECRUIT 1,000 NEW DRIVERS IN LONDON

Private hire giant, Addison Lee, is to recruit 1,000 drivers in London amid growing demand for its services as the capital recovers from the virus crisis.

According to My London, the company said it is offering drivers a "market-leading" package, with a guarantee of £5,000 for the first month of employment, a pension and holiday pay.

Between August and September, Addison Lee said its passenger car journeys in London increased by more than 40 per cent, and the company expects to see continued growth throughout the Christmas period.

Chief executive Liam Griffin said: "Throughout the pandemic, we have put drivers first, and as London recovers, we're delighted to be able to grow the driver community with market-leading rates of pay and benefits.

"It's encouraging to see London reopening and the city coming back to life. Drivers will have a huge role to play in helping people get around the city as safely and reliably as possible. "Our latest recruitment drive is designed to ensure we continue to support existing drivers and meet future demand."

The news follows Addison Lee's announcement last month to transition its standard fleet to fully electric by 2023.



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## CHANGE IS ALMOST HERE!!

For many months now we have been alerting you to the changes that are coming, forecasting the effects of Covid, attending meetings with government bodies and trying our best to not only keep you in the loop, but to be one step ahead as much as possible.

### TINTED WINDOWS

You may remember our articles from July and August on tinted windows, this campaign continues. We have been communicating with various bodies from local authorities to government bodies, stating our case, discussing why there is such a pressing need to an amendment, and the effect such restrictive policies are having on the availability of new or even modern (nearly new vehicles).

We have seen responses from some which attempt to suggest there are various models of new vehicles available with clear glass. This is simply not the case, as can be verified by those who specialise in the supply and manufacture of vehicles, even vehicle dealerships and franchises, such as Car 'n' Cab care in the Wirral, the Chorley Group, and various others. These people actually know what they are talking about, as they are in discussions with vehicle manufacturers; so with the greatest of respect, I would be far more inclined to believe the opinion of specialists, as opposed to council officials who are simply trying to justify their own outdated policies.

### NEW GOVERNMENT GUIDELINES

There is to be a DfT consultation on new government Best Practice Guidance in the very near future, where it is likely to be suggested that: ***"where there is a requirement to maintain such restrictive policies, there must be verified evidence to support such a condition, and not merely an opinion,"*** - in fact this is also suggested within the **Regulators Code 2014**.

With that in mind, the next time we hear any council official attempting to justify a tinted windows condition by saying: ***"We need to be able to see inside the vehicle to verify that the driver is not carrying more passengers than the vehicle is licensed for"***; their task, in order to justify such a comment as being anything less than ludicrous, will be to stand at the roadside of a busy main road, NOT AT A JUNCTION, with a clipboard and a pen, in the dark, and count how many people are in the back of any vehicle (licensed or otherwise) as the vehicle passes them at 30mph, with or without clear windows. In fact, let's go a stage further, and ask them to list, how many of those vehicles had clear glass, and how many did not.

This topic is even more odd and hard to understand, when we see neighbouring councils, which are combining enforcement, and yet one allows manufacturers' standard glass regardless

of tint, yet their neighbour/partnering authority does not!!

All the more reason to repeat and echo the call for National Standards, of course with an element of localism, but with a generic theme, and a common-sense approach. This would remove the risk of confusing conditions but also ensure that conditions suitable for London are not echoed in rural districts. A fair and reasonable system for everyone.

### STATUTORY STANDARDS

Last July, following a wait that seemed like an eternity, with many consultations and delays due to GDPR, Brexit, Covid, and so many more, the Government finally responded to the Task and Finish report by issuing Statutory Standards. We did respond to this last August, with lots of examples as to why driver protection is just as important as it is for their passengers. There were a few aspects to these new standards including drivers having to subscribe to the DBS update service, (although most already were anyway) so that councils could perform verification checks every six months, (if they were not already checking more frequently anyway).

But the resounding theme of this document was to improve passenger safety, even as far as to suggest that by having CCTV in vehicles, the *"victims of reported rape"* may result in more drivers being prosecuted, as quoted here: ***"In addition, the evidential benefits of CCTV may increase the level of reporting of sexual offences."***

### DERBYSHIRE PCC HAILS N.E. DERBYSHIRE COUNCIL'S DECISION TO MAKE CCTV COMPULSORY IN TAXIS

This attitude was more recently echoed by the Police and Crime Commissioner for North East Derbyshire who said the same thing whilst supporting the move to introduce CCTV into licensed vehicles in her region and called on other local authorities to follow suit. Naturally we responded via email, making the suggestion that if she considered this to be such a good idea, *"for public protection"* then maybe she should consider funding the move out of the pots of funding such as Community Safety Partnerships, Street-safe schemes, the IPCC and various other sources that local authorities can make use of for such *"public protective measures"*.

### DEACTIVATIONS AND SUSPENSIONS

From the sheer volume of drivers who have been falsely accused of an offence, we would suggest, and have indeed suggested several times, that it may actually have the reverse effect, and lead to prosecutions against those who wilfully and intentionally threaten drivers' reputation, livelihoods and freedom by making such viscous false allegations.

Such false allegations lead to internal company deactivations, often without warning, suspensions with immediate effect, which of course then result in drivers not being able to work



at all, let alone for their usual operator. In many cases, prosecutions and prison follows, when in truth, many of them have done nothing at all wrong.

## FALSE ALLEGATIONS - GET SOME PROOF!

In reality, as much as an association or representative body can get involved after the fact, and try to support or defend drivers, if CCTV was in place, the result which we have seen hundreds of times already, is that the report leads to a review of the footage, and the charges being dropped, without the need for suspension, council committee meetings, appeals, third party involvements or anything else that creates anxiety, worry, financial ruin, and loss of freedom.

Many local authorities where they do have CCTV, whether voluntary or mandatory, have seen a complete shift from it being a case of allegations being made against drivers, with a total switch to the majority of the reports being against passengers.

In-car CCTV has assisted police forces throughout the UK in gaining evidence in the event of troublesome passengers, or indeed to dismiss false allegations made against a driver. It has even identified murderers where the offender has left the scene with their hoods up, then ran across a road in front of a vehicle with CCTV installed, including external cameras, and this has then led to the offender being caught.

More recently of course, a union held a protest on the 6 October, regarding a driver from Brighton, accused of sexual assault. The council reviewed the data, which cleared the driver of any wrongdoing, but sadly his operator failed to act quickly enough to reactivate his access to their platform.

## CCTV WORKS!

When the Statutory Standards came out last July, the topic of CCTV was referred to as: *"All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and PHV users, including children or vulnerable adults."*

This was pretty vague and left matters open for interpretation once again. As a result however, many local authorities have made the decision to move towards mandatory CCTV, with many trade members calling for it to be introduced too, as posted recently: *"Bolton drivers call for CCTV"*. Further, in the past in Milton Keynes drivers were campaigning for CCTV to be allowed, when in reality it was already allowed, it is simply internal recording dashcams that are not allowed, anywhere, as per UKGDPR/ICO regulations.

## DEPARTMENT FOR TRANSPORT CONSULTATION

As referred to above, there will very shortly be a new consultation issued by the DfT on a new government guidance

document, which is expected to include CCTV installation, and as above, tinted windows. Since we have raised these issues with the DfT, we can confirm that the commitment remains to consult this year.

Once again, we ask you: trade members, association members, council officers, council committee members, **PLEASE** respond to this consultation, please let your thoughts and concerns be known. Without your opinions and current awareness of real-world taxi and private hire driving, it is impossible for decision makers to know, or understand how you feel!!

## EFFECTS ON THE TRADE!

Next month we will be in a seminar with the Institute of Licensing, where we will be discussing and describing the effects these last two years have had on our industry and on you: the drivers, the operators, the *"integral part of the public transport infrastructure"* - the term used in most council and government documents when introducing the need to regulate our vehicles and drivers.

We know all about the effects of Covid and the lack of support for our industry. But then we get hit coming out the other side too; the fuel panic buying, the volume of drivers who have had no choice but to leave the industry and find other ways to pay their mortgages and feed their families, the road closures, the introduction of Clean Air Zones, the push for EVs and newer vehicles far sooner than the general public and the lack of charging points. But this will be my opportunity to express those concerns to the regulators on your behalf, so if you have any specific examples you would like me to use in my presentation, then please get in touch, send your stories to [info@nphta.co.uk](mailto:info@nphta.co.uk) or [info@phtn.co.uk](mailto:info@phtn.co.uk), or both.

David Lawrie, Director NPHTA

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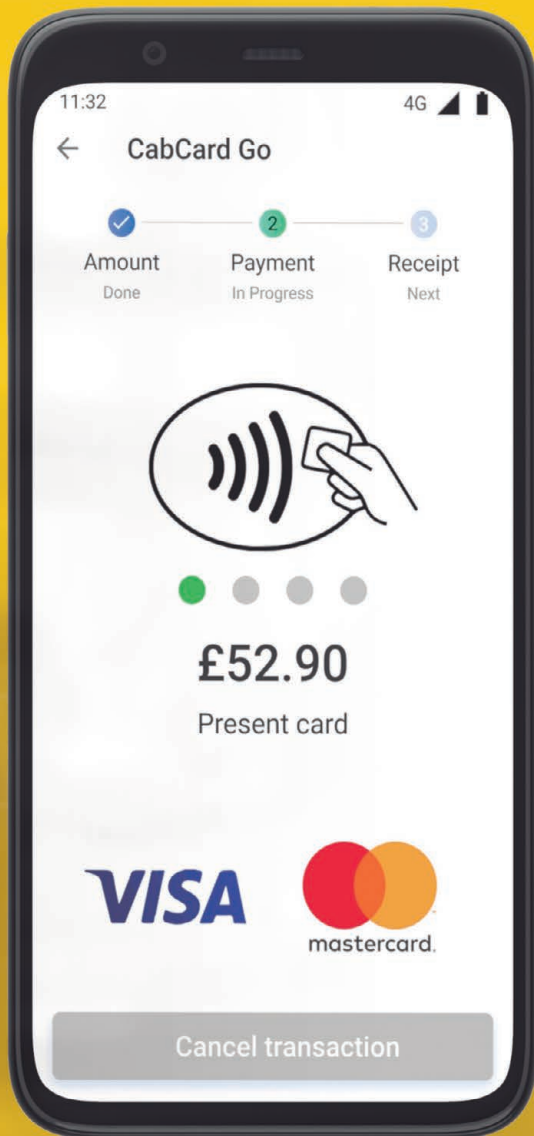
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## THE PENDULUM SWINGS

**The Chinese wish: “May you live in interesting times”, could have been written for the taxi and private hire industry over the last seven years, in fact during the last forty years that I have been in the industry I am not sure times have ever been this interesting and it appears likely that it will continue to be so for the foreseeable future.**

But of all the interesting times we have had to date, this moment is perhaps the most interesting. Power has suddenly been wrested away from the largest of ride-hailing companies to the smallest of operators and moved explicitly to drivers. The pendulum has swung and it has in my view some way further to swing. Benign interest rates, no inflation and a surfeit of cheap labour enabled the driver to lose any real vestige of power. Cannon fodder may be too strong a term but if drivers left there were plenty of others to fill the space.

Over recent years basic economics kicked in – supply outstripped demand, costs in real terms reduced and earnings flattened and then fell. In truth this was not all driven by the economic situation as Venture Capital (VC) money was fire hosed around the industry, companies were bought at eye watering multiples, rides were subsidised and the poor old original equipment manufacturers believed that they would never sell another car and piled their money in too.

Making money became an old-fashioned, at times even an out of fashion concept, and the skill changed from running profitable and cash generative businesses to ‘raising investment (sic)’ aka mugging investors and pouring the money down the drain. Well guess what; the wheels have well and truly come off of that bandwagon. The hangover would have been bad enough but now we have labour shortages, rising inflation with a government that could do with inflation being around for a while to reduce the Covid debt, the threat of higher interest rates, higher taxation and over half the cab-using public working from home and showing little appetite for returning to the office.

So here we are - the morning after the night before. Perhaps the Alka Seltzer is going to come in the form of an end to certain nonsenses. In particular, whilst I could understand growing membership of unions when drivers were powerless; I could also understand the desire for revolution when wages dipped below the level that enabled people to work hard, pay their bills and have some money over.

But as that pendulum has swung, and as I said I believe it has further to swing, surely the attraction of worker status, union membership and the rest starts to wane. The irony of seeing the company that caused so much poor practice in this industry jumping the gun and ending up as the totem of a

construct, worker status that is unattractive, unloved, unwanted and quite unnecessary is surely delicious.

Instead, companies who do not quickly latch on to the new order will find themselves bereft of drivers. Why mess around with tribunals if you can simply vote with your feet. The smarter operators will have already worked out that to parody Bill Clintons’ electoral team’s famous maxim: “It’s all about the economy [rates] stupid”! Low pay – no way! As the concerns re: tribunals and worker status roll away like the tide going out as a consequence of higher pay and competition for drivers increases, operators will need to develop or rediscover the skills needed to sell dear.

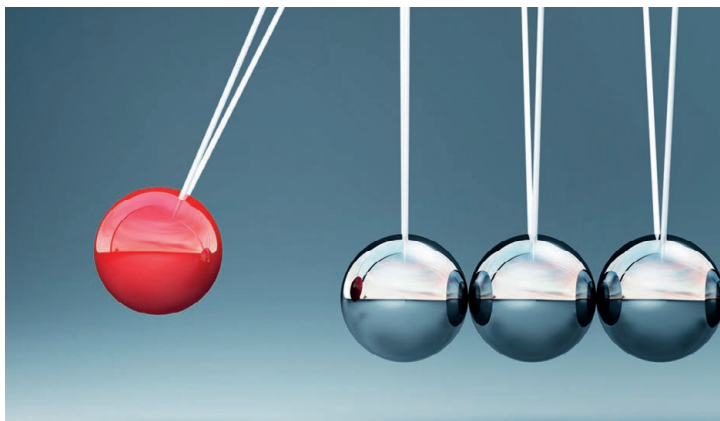
The obvious dichotomy for operators is will moving rates up move demand down? To an extent and using the economists’ favourite line...yes if all things are equal. But all things are never equal. Markets, industries and competitors don’t move equally. They are chaotic, individualistic, free-willed, unpredictable, often illogical and frequently opportunistic. So even if there is a temporary dip in demand, fulfilling the bookings you do receive with a great on-time service or quick response times to ASAPs, will in turn place you ahead of cheaper and less reliable competitors. Drivers will follow the rates. Being moaned at for being late and being paid low rates isn’t anybody’s’ idea of fun. So, its simple is it.....put up the rates and count the profits? No not quite.

As well as the pendulum swinging towards driver power, regulators are also clawing back some control which they ceded so much of seven years ago. The mighty and litigious Americans dared regulators to close them down, to take them to court to go against Osborne and Cameron’s desire for London to be the tech start up of Europe. Many were encouraged to turn a blind eye. Many felt that they were too small or their council was too timid to take a stand. Many who turned a blind eye or wrung their hands have lost their jobs, been pilloried by safety conscious operators and representative organisations and have now decided that they are not passive administrators but responsible for managing the frameworks needed to ensure public safety aka regulators.

The teeth are beginning to be seen on many fronts. The new Statutory Guidance, HMRC’s Conditionality, low emission and ULEZs and of course EVs. Many councils have new sets of regulations with demanding and effective obligations for operators, regardless of size or heritage. Consolidation and amalgamation is currently in vogue as is plural working for drivers – even where councils have resisted this, they are changing their views. So, can we just get through this list of issues and get back on the golf course and let Mary or Bob run the office again and just call if there’s a problem? I doubt it.



# INDUSTRY EXPERT



The future of the industry appears very much to be a turbulent, more demanding and continuously evolving and changing environment. An environment of more effective and more engaged regulation, enforcement and compliance, a landscape of larger operator groups, of driver power, of demanding consumers, less cash, more accreditations and qualifications, more training and probably less customers and almost certainly less drivers.

Operators will be asked to do more; safeguarding is gaining serious momentum; councils are requiring cabs to be the eyes and ears of the community and to share their knowledge of the shady dealings that go on in any town or city. In some cases, to almost take over the regulator's role by inspecting vehicles, maintenance records and the rest. Depending where you sit – it's not all bad BUT it is change that has to be managed, it involves costs that increase and it requires better systems, better processes and ultimately better people.

If asked to predict, I would expect many of the new players to get the hell out of the cab industry – there is no money in it for the get rich quick brigade, the so-called disruptors who want to ignore the law, the regulations and even gravity with their mad so-called business models. They can take their disruption, their bean bags, white boards and sloppy tee shirts and scruffy jeans and 'investors (sic)' and get involved in the next version of financial madness probably deliveries, groceries, fast food and who knows what.

The industry will I suggest be smaller, it will be better regulated and it will earn money, real money. Drivers earning more money is good, the industry attracts better people, they maintain their cars better, they invest in newer vehicles and customers are better looked after. Drivers will be better trained as a condition of licensing. Operators will be asked to do much more, to be better qualified, to take responsibility for more of the value chain. We will all be required to improve the environment. I suggest that current restrictions on driving through residential areas will broaden. Road pricing will certainly come along. But I could be wrong.

We might see an acceleration of 5G and the enablement of connected (autonomous) cars. The government has increasingly made noises about public transport, could there be a renaissance? Might people tire of working at home or could it become even more widespread? Covid has provided amongst other things social upheaval. The established norms of dormitory towns, of crash pads and studio apartments and the high costs, not only financial, of commuting have juddered to a halt.

How many conferences did we attend as transport professionals listening to or talking about how the rail infrastructure was going to cope with the growth in commuting? How buses were busier in cities than at any time since the war? How could the commuting bulge be spread across the day? What will the next generation of conferences be about – how can we afford the rail infrastructure we have with only 40% of travellers?

These are not just interesting times, they are history in the making, they are social restructuring and commercial reorganisation at a scale probably not seen since Victorian times. The memes, cultural norms and customs and practice, that have remained largely unchanged since the 60's and 70's have now been turned on their heads. Covid appears to have led to an upheaval in retirement habits with many more people becoming economically inactive. Brexit has exacerbated the shortage of cheap labour. Shopping moving from physical to virtual has added stresses and strains to deliveries and provided an alternative employment opportunity for many taxi and private hire drivers.

So where does this leave the guy or girl with 150-200 cabs in a town/city up or down the country? Well, in every revolution there are winners and losers. Fighting against what is happening I believe is a forlorn and pointless waste of effort. There is a general acceptance that the planet is being damaged by burning fossil fuels. Working from home won't end overnight, inflation is here, the trade will be smaller, you, as an operator will be asked to do more. So why not grasp the nettle, be seen as part of the solution not part of the problem? Safer travel, cleaner travel and ultimately more expensive travel is a model that with some effort, some imagination and some strategic thinking could provide a secure future for most.

I started this piece with a Chinese proverb so I think I should end with one:

***"When the winds of change blow, some people build walls and others build windmills."***

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# SHAME SHAME

## SCARED TAXI PASSENGER FLUNG HERSELF FROM DIABETIC **YEOVIL** DRIVER'S DANGEROUS CAB

A passenger threw herself from a moving cab because she was terrified the diabetic driver was about to crash. According to SomersetLive, Mark Cousins, from Yeovil, appeared at Taunton Crown Court where he admitted dangerous driving and driving whilst disqualified.

Prosecutor Ms Susan Cavender said the incident happened on September 9 last year. A woman had broken down but due to Covid restrictions the recovery vehicle would not take her so a taxi was booked. There was a muddle about the location and the taxi driver appeared rude and impatient on the phone, said the prosecutor. When he arrived the woman had been waiting for nearly three hours.

When she got in, Cousins' driving was

erratic said Ms Cavender. The passenger noticed the speed was increasing to 80mph and asked the driver if he was all right.

At one stage he took a call from his boss at Yeovil Taxis saying other drivers had called to report his driving. Cousins told the company 'It's fine, mate'.

At a roundabout Cousins performed an emergency stop and skidded into a barrier. He apologised and drove on.

His passenger was so scared she asked to be let out but Cousins refused saying 'it's fine, love'.

"In desperation as the car slowed down she opened the rear passenger door and threw herself out," said the prosecutor. She had been in the car for about 15 minutes. As the passenger left the car she hit the ground and began

rolling. She needed three stitches on her head, four stitches on her elbow and suffered ligament damage to both feet and gravel wounds. She still suffers from memory problems and anxiety.

Cousins carried on driving and was seen drifting onto the central reservation, travelling slowly then speeding up to 80mph and swerving onto grass verges. The taxi eventually ended up in a hedge. Cousins' blood sugar level was dangerously low and he was taken to hospital.

He had been working for the firm for ten years and told police he could not remember anything about driving the woman.

Mr Patrick Mason, defending, said the incident happened because Cousins had not been due to start his shift until 4pm that day. His boss called to say he was the only person available to pick-up the woman. As a result of the change to his routine he had not tested his blood sugar levels or had lunch which led to him suffering a hypoglycemic episode.

"He didn't want to cause injury to anybody," said Mr Mason. He said Cousins had a strong work ethic and had not driven since. He was now employed at the hospital as a porter.

It turned out Cousins had passed out at the wheel on a previous occasion in 2015 when he was driving from Heathrow. Since then he had been required to regularly update his licence due to his diabetes which he has had since he was 20. The licence had lapsed just three days before the incident, something he was not aware of.

Judge Paul Cook said Cousins was not a threat to the public and did not need to be rehabilitated.

Cousins was jailed for 10 months, suspended for 18 months, has to do 100 hours of unpaid work and disqualified from driving for 30 months after which he will need to take an extended test before he is allowed his licence back.

## SCHOOLBOY SEXUALLY ABUSED BY **DUMFRIES** CABBIE TRUSTED TO TAKE HIM TO SCHOOL

A schoolboy was routinely sexually abused by a taxi driver who was trusted to take him to school.

The Scottish Sun reports that John Walls, 59, first preyed on the lad when he was just 11 years old, while working for a firm that had a local authority school transport contract.

Walls, of Dumfries, targeted the youngster while they were alone together in his taxi between March 2016 and September 2020, the court heard.

Prosecutor Kath Harper said: "The boy has found it difficult to estimate the number of times this conduct occurred."

When the child moved to another school, Walls continued to keep in contact with him via social media. He would meet him in his taxi and stop in various places around Dumfries to continue abusing him.

The boy's mum became concerned when she noticed Walls sitting in his

taxi near her home and later spoke to the police.

Her son then told a teacher he had been abused by the taxi driver.

Walls admitted his sickening abuse during a "family summit" with his relatives, the High Court in Glasgow heard. He was arrested in September last year after he told his loved ones the victim was "telling the truth", saying he "could not lie any more".

He was jailed for four years and eight months on 19 October, after previously pleading guilty to charges of sexual assault and rape. Walls will be supervised for a further three years when he is released from prison.

Judge Lord Clark said: "This was deplorable abuse which must have caused lasting distress for this vulnerable young boy."

He said his sentence would have been seven years if Walls had not submitted his guilty pleas.



# SHAME SHAME

## EAST LoTHIAN CABBIE SEXUALLY ASSAULTED TWO DRUNK TEENAGERS IN BACK OF HIS CAB

A taxi driver who preyed on two “very drunk” teenagers in the back of his cab is facing a jail sentence.

According to the East Lothian Courier, John Simpson left one 18-year-old man with cuts to his genitals after the man woke up to find the cabbie performing a sex act on him.

The victim managed to fight off the sex attack and fled the taxi, which had stopped off at a deserted business park in Edinburgh.

Simpson, 63, then drove a second drunk 18-year-old victim to a deserted back street in East Lothian and told him he would perform a sex act on him in return for the £36 fare.

Simpson, of Prestonpans, then jumped into the back of the cab and forced himself on the “terrified” man during



the 2am assault in April 2019.

Again, the drunk victim managed to fight Simpson off before he told a passing bus driver about the attack and the police were called.

Simpson denied the allegations but was found guilty of both sex assaults by a jury on Monday 4 October, following a four-day trial at Edinburgh Sheriff Court last week.

He was also found guilty of a further charge of making sexual comments to a third male victim in the course of a taxi journey in May 2019.

Simpson told the jury that it was him who had been attacked by the first victim in 2015 and he believed he was “going to be murdered” after the man had fought back.

He claimed that the second victim had instigated the sex chat during the taxi journey and that he “never touched him”.

But the jury took just two hours to convict Simpson of the two sex assaults and the further charge of making sexual comments to a third man.

Following the verdict, Sheriff Alistair Noble said: “You have been convicted of extremely serious offences and all options will be open to the court.”

The sheriff placed Simpson on the Sex Offenders Register and deferred full sentence to next month.

## FORMER CABBIE JAILED FOR MORE THAN SEVEN YEARS FOR RAPING SUFFOLK SCHOOLGIRL

A former Suffolk taxi driver who raped and sexually assaulted a schoolgirl has been jailed for seven years and eight months.

Sentencing Mark Ryan, 50, Judge Emma Peters described the victim as “vulnerable” and said she had been “stunned and shocked and frozen with fear” when he assaulted her.

The East Anglian Daily times reports that Ryan, from Haverhill, was found guilty by a jury after a trial at Ipswich Crown Court last month of two offences of oral rape and one of assault by penetration by 10-2 majority verdicts.

He was found not guilty of a further offence of oral rape, a further offence of assault by penetration and an offence of sexual assault.

He had denied all the offences which were alleged to have been committed in the early part of 2009 when Ryan was 39.

In addition to being jailed Ryan was made the subject of a sexual harm prevention order and was ordered to sign the sex offenders’ register for the rest of his life.

Ryan was also banned from contacting the victim until further order.

The court heard that the offences Ryan was convicted of took place at his home on the same day within a short time of each other when the victim was in her early teens.

In an impact statement read to the court by the victim she accused Ryan of “taking her childhood away”.

She said Ryan had threatened to harm her if she told anyone what he’d done and she was still scared of him to this day.

Giving evidence during the trial, Ryan, who has no previous convictions, denied having any sexual contact with the girl. He accepted being a Facebook

friend with her and talking to her about problems she was having at school but denied taking advantage of her and then securing her silence by threatening her.

He said the girl had turned up unannounced at his home and after the second time he thought she might have a crush on him and had nipped things in the bud.

The prosecution alleged that Ryan contacted the teenager on Facebook after meeting her through his work as a taxi driver and had arranged for her to go to his former home in Haverhill, where the offences were committed, to do household chores for him.

Richard Kelly, for Ryan, said the offences related to a single incident over a brief period of time. He said that after the victim made a complaint in 2019 there was a delay of more than a year before Ryan was charged.

# MOBILITY MATTERS

## CABBIE TO PAY £1,895 AFTER DESERTING BLIND MAN AND HIS GUIDE DOG IN **STOURBRIDGE**

A PHV driver who abandoned a blind man in the 'middle of nowhere' after he refused to pay a bogus £2 fare for his guide dog has been fined.

The Birmingham Mail reports that Zafar Ali demanded disabled passenger Nicholas Mills hand over an extra £2 for bringing his golden labrador Percy into the PHV with him on his journey home. But he dumped the 'totally blind' man on the side of the road at night when Mr Mills said no. The stranded victim only managed to make it back to his Stourbridge home after a good Samaritan offered to give him a lift.

Ali now has to pay almost £1,900 for refusing to take Mr Mills home over the £2 quibble. He faces losing his licence and will be brought before a Dudley Council committee later this year after he failed to turn up for his trial at Dudley Magistrates' Court on Friday 8 October.

Ali - who worked for Stourbridge-based A2B Falcon Elite at

### **BOLTON** CABBIE FINED FOR REFUSING BLIND MAN AND HIS GUIDE DOG

A PHV driver who refused to pick up a passenger and his guide dog has been prosecuted by licensing chiefs.

According to the Bolton News, Sajjad Robani, who failed to attend Bolton Magistrates Court on September 22, was convicted in his absence of violating The Equality Act 2010. He was fined £440 and ordered to pay court costs of £200. Robani, an Uber driver, refused to pick up Callum Stoneman and his guide dog Iggy on a journey in Bolton on February 12, 2020. In a statement, Mr Stoneman and an independent witness both stated that the driver saw the dog, who was wearing his harness, and told Mr Stoneman, "no dogs". But in his statement, Mr Robani said he did not see anyone waiting at the pick-up address nor did he see any assistance dog so proceeded to drive off.

Mr Stoneman said: "It's incredibly frustrating and humiliating to be denied a taxi, just for having an assistance dog (my eyes) with me. Unfortunately, this happens far too often to blind people with guide dogs, and it needs to stop."

Under the terms of the 2010 Equality Act, a driver cannot refuse to take a disabled person and their dog.

It is also an offence if they make any additional charge for letting the dog remain with the owner.

Cllr Hilary Fairclough, the borough's executive member for regulatory services, said: "Taxi drivers have a legal obligation to accept assistance dogs in their vehicles unless they have a medical condition which prevents them from doing so. In such cases an exemption certificate is issued.

"Drivers are made aware of their obligations towards passengers in their driver training."

the time - picked up his customer just before 10pm on August 8, 2019. The taxi driver told Mr Mills he would kick him out of the taxi if he refused to pay the £8 fare, which included £2 for the dog, when he was 'halfway home'.

But Mr Mills insisted the fare should be £6 as it is illegal to charge extra for guide dogs. The 'aggressive' driver confirmed with a colleague there was no extra charge but continued with his demands before proclaiming 'right get out'.

In a witness statement, Mr Mills said he felt uncomfortable as Ali gave the impression he 'didn't like dogs', told him to stop Percy 'from looking at him' and 'moaned' about the guide dog throughout the journey.

He said: "I was told to get out of the car. I heard the driver tell the operator on the radio that I was refusing to pay the fare which wasn't true. I just didn't want to pay for the guide dog. He stopped the car and told me to get out. I did as he said and he drove away leaving me and my dog on the side of the road. I had no idea where I was. I knew that my dog wasn't familiar with that area and that is a real problem.

"My sight is non-existent. I cannot see at all. I cannot see shadows. I cannot even see glimpses of light. It is total blindness. I rely totally on my dog."

The court also heard that Mr Mills complained to the taxi company but has still had no response two years on.

Ali was convicted in his absence of being a PHV driver who failed or refused to carry out booking for disabled person accompanied by an assistance dog. The 68-year-old from Lye, Stourbridge, was fined £1,000 and ordered to pay a £100 victim surcharge £595 costs and £200 compensation.

### **BRADFORD** PH DRIVER FINED FOR REFUSING TO TAKE GUIDE DOG

A PH driver who refused to take a disabled customer and their assistance dog in his cab has been fined £215.

The Telegraph and Argus reports that Sher Gul, 59, from Bradford, pleaded guilty to refusing to accept the person's booking which had been requested by his operator.

On January 13, 2020, he refused to transport a disabled person with an assistance dog, in breach of the Equality Act.

He was ordered to pay £215; a fine of £83, costs of £100 and a victim surcharge of £32 at a hearing on Monday, October 18, at Kirklees Magistrates' Court.

If the passenger is a guide dog owner, it is a criminal offence to refuse to carry their dog, or to charge extra for doing so.

The only exception is if the driver has a medical exemption certificate from the local council due to a genuine medical condition aggravated by exposure to dogs, and in that case the driver should help the passenger find another driver.

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# FIT AND PROPER

## BATH TAXI FIRM BOSS LOSES LICENCE AFTER FAILING TO PAY DRIVER FOR MORE THAN A YEAR

A Bath taxi firm boss has lost his licence after allegedly failing to pay a driver for more than a year.

According to SomersetLive, Bath and North East Somerset Council's licensing subcommittee heard that the man - unnamed in official minutes - was taken to court and ordered to pay the £8,405 he owed, plus £410 in costs.

The licensee claimed he had already paid in cash and the complainant was trying to get a lump sum from him.

He said he had not received the invoices until the court judgment came through and he was trying to challenge it.

The licensee told councillors: "Ask yourself a few questions: if you are being paid monthly could you afford to stop being paid for a 15-month period? "Would you continue working if you were not getting paid? How could you afford to keep your vehicle on the road during this period?"

He said he had paid the complainant in cash but also that he did not pay him because the invoices did not set out sufficient detail and included charges for school holiday periods.

Councillors spotted the contradiction, and also saw evidence the complainant

had submitted invoices and chased payments.

The minutes from the hearing say: "Members take a dim view of such conduct which deprives a person of payment for their work when the license holder has themselves been paid and consider such action serious.

"This was a lengthy breach of over a year of his private hire operator's licence.

"Members found the licence holder is not fit to operate a private hire operator's licence and has undermined the public trust in the system."

## REMORSEFUL ALLOA CABBIE KEEPS HIS LICENCE AFTER COLLISION WITH CYCLIST

A Clackmannanshire taxi driver who has shown remorse and followed every procedure after a low-speed collision with a cyclist has last week seen his licence renewed.

The Alloa Advertiser reports that David Lee appeared at a recent Clackmannanshire Council Regulatory Committee, seeking to renew his taxi driver's licence.

The case went in front of a panel of councillors as Mr Lee was involved in a "very low speed" collision with a cyclist in Alloa while ferrying a fare paying passenger.

According to the narrative given to the committee, the incident occurred around a year ago at 11.20am on September 22 and resulted in the cyclist fracturing their wrist.

In subsequent court proceedings, Mr Lee pleaded guilty to a careless driving offence, incurring a fine of £100 and three points on his driving licence.

The committee heard the incident appears to have occurred as a result of a momentary lapse in concentration and that the applicant has no other

convictions.

A Police Scotland sergeant present at the meeting confirmed the force reviewed the application and had no objections.

Representing himself, Mr Lee told the committee that this was an "unfortunate incident" and a "complete accident" due to a "momentary slip in concentration".

He said: "I pulled out slowly and he's collided with my back door and unfortunately - it wasn't fast but the way he fell - he's fractured his wrist.

"It was really not a nice moment, obviously, but I was out there, helped him as much as I could, went through the proper procedure, it wasn't a very good moment for myself.

"Never been there before, 18 years, never had anything like this.

"But, I believe that I'm a pretty good driver generally, it was very much a [lapse] in concentration, which I put my hands up to and I apologised."

The taxi driver added that he now pays more attention to cyclists.

He was required to notify the local

authority upon being charged and convicted and while elected members would often deliberate cases in private before announcing an outcome, councillors did not feel it was necessary in this instance.

Councillor Chris Dixon said: "What strikes me in this case is that the applicant has done everything required of him at every stage and from [the civil licensing standards officer's] report there: more than [what was required].

"And so, I don't have any doubts as to whether this is a fit and proper person and I'd move that the application be granted."

Cllr Kenny Earle concurred.

He said: "I think Mr Lee has shown contrition for the accident, it was a momentary lapse in concentration, he has followed the correct and proper procedures, more so than any applicant that's come before the committee in all the time that I've been on the committee. I have absolutely no reason to object to this application."

Indeed, the renewal of Mr Lee's licence was unanimously agreed.

# FIT AND PROPER

## BATH CABBIE LOSES LICENCE OVER RECORDINGS OF ALLEGED HOMOPHOBIC COMMENTS

A Bath cabbie who clocked up 23 complaints in 25 years has lost his licence after allegations he made homophobic comments.

SomersetLive reports that the taxi driver - unnamed in Bath and North East Somerset Council's published minutes - claimed he was being "stitched up" and the complainants had "made it their New Year's resolution" to make sure that he lost his job.

They sent recordings of the exchange to the British Transport Police following the alleged incident last October but later asked for the investigation to be dropped. The case was referred to the council's licensing subcommittee, where the taxi driver told members: "People lie when they complain to give substance to the complaint. I have

been set up by the recordings. Anyone but me would have slapped him but I did not."

He denied that children travelling in his "noisy and unstable" old London cab would be "flying across the seats", and said he would weave to avoid potholes and tell his customers to sit down around corners and hold onto the handles, adding: "My cab is noisy so I raise my voice to be heard and some people interpret my loud voice as aggression." The man also denied refusing fares and overcharging customers and said: "I do a good job and I don't behave like they portray me. I am fit and proper and these accusations are humiliating."

Members found the allegation of intimidating behaviour with homophobic content "particularly distasteful" and

said the licensee must take responsibility for his anger management issues.

The minutes from the meeting on September 23 say: "Members take an extremely dim view of such conduct which has included two alleged physical assaults and behaviour that will have a negative impact on public confidence in the licensing regime.

"In all the circumstances members found the catalogue of complaints reported spoke for itself and was a sad indictment on a 25-year career.

"Members are also surprised and disappointed the system enabled the licensee to be given numerous final warnings without being brought before them."

They said they would not feel safe and secure alone in a cab with the driver and ruled his licence should be revoked.

## GLASGOW PH DRIVER BLAMES PASSENGERS FOR DRUGS IN CAR

A Glasgow PH driver caught with three types of drugs in his car has been allowed to keep his licence.

GlasgowLive reports that Mahmoud Abdelgader pleaded guilty at court on September 3, to failing to stop at red traffic lights in the city and having cocaine, Etizolam and cannabis in his possession. Police Scotland objected to the renewal of his licence and judged he was not a fit and proper person to hold one.

Appearing before Glasgow City Council's licensing Committee, Abdelgader admitted the cannabis was his, but claimed passengers had left the cocaine and Etizolam and that he was stopped as he was racially profiled by the police.

The committee heard the quantities of the illegal substances were at personal use amounts - and not dealing levels.

Mr Abdelgader, a licensed driver for three years, admitted he was taking cannabis but not the other substances.

Cllr Wilson said: "You have admitted driving a vehicle while taking cannabis. That is an offence. I don't for a second buy your story that it must have been left in the car by a customer. I take exception that you insult this committee's intelligence on that. However, councillors decided to grant the licence for a restricted period of one year with a warning issued regarding the applicant's future conduct.

## GLASGOW PH DRIVER SET OFF WITH PASSENGER NOT FULLY IN CAR

A cab driver who set off for Glasgow Airport while his passenger was still not fully inside the car kept his licence following an appearance in front of councillors.

GlasgowLive reports that Shamin Elahi was recently granted a three-year private hire car driver's licence with a warning. The Glasgow City Council licensing and regulatory committee heard from a police officer that Mr Elahi drove off while a woman was partially outside his vehicle on April 30 in 2017. PC Stuart Morton said: "He picked up a pre booked hire, which was two females travelling to Glasgow Airport. A male friend put their luggage in the boot of the vehicle and witnessed it moving off before one of the females was fully inside."

Mr Elahi didn't realise the back door was open and his customer wasn't properly in the car. The passenger door then hit another parked vehicle and bounced back and whacked the woman's right hand and foot. She was left with a bruised foot.

The married father was fined £130 and got three penalty points at court for driving without due care and attention. His lawyer said Mr Elahi has had a private hire licence for several years and apart from this instance has an "unblemished record."

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## NEWCASTLE TAXI BOSS OFFERS JOBS TO STAFF AT CITY'S COLLAPSED ENERGY FIRM

A Newcastle taxi firm has renewed its pledge to help people in the city into work as it looks to recruit 500 new drivers. ChronicleLive reports that Budget Taxis says it has been inundated with hundreds of applications a week after launching a major recruitment drive to replace many of the staff it lost during the coronavirus pandemic. Now, it is going one step further, with company boss, David Singh, promising to take on all of the staff from the city's collapsed energy supplier Green.

Green Supplier Limited became the fifth energy supplier to go out of business in September after a spike in gas prices put massive pressure on the sector.

Green, which employed around 180 staff at its base in Newcastle city centre, cited a lack of Government support for suppliers, unprecedented market conditions, and 'regulatory failings' for its insolvency.

David Singh said Budget Taxis was 'willing to take them all on' as he urged



anyone who has been made redundant or affected by the furlough scheme coming to an end to apply.

"We want to let people know there is light at the end of the tunnel," he said.

"We don't want people to think there are no jobs."

In an effort to entice new recruits, the Newcastle-based company has promised to pay for the training and all start-up expenses of new drivers - and

will even cover the cost of getting licence plates from the city council.

David, 60, said drivers can earn up to £1,000 a week because of the demand.

"The amount of work out there is unbelievable and we can't cover it all," he said. Budget Taxis has already taken on around 80 new drivers and has had around 200 applications which the company says it is working through to get people into roles.

"It has been mixed," David said of the candidates applying.

"Some of them have been laid off, some people are in their late 50s and some of them are young ones. A lot of the people that have been laid off are grateful for the work."

No experience is necessary as the firm will provide training and help put applicants through a 'brief' exam.

But ferrying passengers around the North East isn't the only driving job available for new starters. When jobs dwindled in March, 2020 as a result of the pandemic, Budget Taxis started to provide a delivery service for parcel company Hermes and food deliveries for the Co-op. The firm says that drivers also work with the Newcastle NHS Trust to deliver blood to the city's hospitals.

"We have had a good response," David said of the recruitment drive.

The company said Covid safety measures are adhered to with screens fitted in all cars to separate passengers and drivers. Panic buttons are also fitted in all cars which drivers can press during an incident to alert the firm's other drivers to their location so they can be assisted.

The company, which already has 500 drivers, is looking for people aged 18 and over with a valid UK driving licence. Anyone wanting to apply to be a Budget Taxi driver should contact David Singh with their name and contact number on 07566741675 or email [info@nodataxis.co.uk](mailto:info@nodataxis.co.uk).

## TORBAY STILL NEEDS MORE TAXI DRIVERS AND RIGHT NOW IT'S VERY CHEAP TO APPLY

Torbay Council's campaign to make up for the shortfall in taxi drivers in the Bay has started to return results - but more drivers are still needed.

According to DevonLive, in July the council slashed the cost of application fees for a taxi licence from £349 to £50 for the first 50 people who came forward. It formed part of a bid to make up for the increased demand for taxis as restrictions eased and the number of drivers fell.

The council has so far recruited 18 of its target of 50 drivers, with 12 other applications at various stages of the application process. The licence fee discount is first-come first-served and is due to expire on December 31.

A Torbay Council spokesperson said: "Recruiting 50 new drivers has always been an aspirational target. Where elements of the process are managed by Torbay Council, we are endeavouring to expedite matters, where feasible. "We are conscious the shortage of drivers is an issue which impacts nationally, and we are keeping the situation under review."

Cllr Christine Carter, cabinet member for corporate and community services, praised the results, saying: "This is really positive news, all due to the successful response to the reduced fee initiative. To have 18 new taxi licences allocated to drivers now working across the Bay in just three months is a great result."

## SOLIHULL FIRM SORRY AFTER CUSTOMERS OUTRAGED BY SURGE PRICING HIKE

A Solihull firm has apologised after customers were left outraged after it introduced 'surge pricing'.

According to the Birmingham Mail, TC Cars, based in Chelmsley Wood, quickly ditched the policy to charge more at peak times after passengers expressed anger. The firm admitted it had "lost sight of what matters most" and reversed the decision within days. Stuart Day, general manager, said TC Cars had decided to implement the pricing regime as it battled to keep operating following the pandemic.

He said that while demand had rocketed, driver numbers were plummeting - with some going to work for rival firms and food delivery apps.

He added: "It's down to drivers basically logging off our circuit and going to work at Uber or Bolt when they are surging their prices," said Mr Day, who also runs taxi firms across the country. "To try and overcome the issue we made a decision that we would start to do the same and surge our prices during peak times. Unfortunately it didn't have the desired effect so we decided that we will turn it off altogether."

Mr Day confirmed the Solihull firm had "no intention" of going back to surge pricing, adding punters had made it quite clear how they felt.

"It was a response from customers saying that we were wrong and it affected our regular customers as well which we didn't want," he said.

"It caused us a major problem and we listened to the feedback that was coming back from our customers and made the decision to remove it."

Mr Day added that the debacle had highlighted the difficulties faced by the taxi business, which like other industries risked becoming gripped by a shortage of drivers.

Writing on Facebook, TC cars added: "In an effort to improve service and boost driver numbers, TC Cars introduced surge pricing. In doing so, we

lost sight of what matters most and the values we hold ourselves to.

"Over the past few days, our operations team have been listening to feedback from both passengers and drivers. This has led to the decision to remove surge pricing with immediate effect.

"We'd like to offer our apologies to anyone impacted by recent changes, TC Cars will be offering 10 per cent off your next app booking in October with code 'SORRY10'.

"TC Cars pride ourselves on being at the core of our community, providing a local, friendly service that you can rely on. So, it is important for us to mention that the initial increase to £4 minimum will be staying. This is due to increased costs for our drivers as well as national driver shortages across the country.

"We will also be releasing a short informational video soon, highlighting many reasons why taxi and private hire fares are changing."

## NOTTINGHAM CABBIES SLAM £200 COUNCIL GRANT TO PAY FOR COVID MEASURES

Nottingham taxi drivers have said that a £200 grant from the council is 'nothing' and will not make up for the impact of Coronavirus.

Nottingham City Council decided on September 20 to use £320,000 of funds to pay every council licensed taxi driver £200, in order to contribute towards the cost of Covid measures such as screens and extra cleaning. The £200 grant follows a £400 payment by the council to drivers earlier this year. But cabbies thought that the money received was "nothing" compared to the grants which other drivers across Nottinghamshire have received from local authorities.

Asif Maqsood, 44, a taxi driver, said:

"I have heard that Rushcliffe council gave £4,500 while Gedling gave £2,100. It is not enough and the majority, if not 100 per cent, of drivers think the same."

However, Nottingham City Council said that taxi drivers had been fairly compensated for the cost of Covid measures. Cllr Rebecca Langton, Portfolio Holder for Skills, Growth and Economic Development, said: "To suggest that taxi drivers have been unfairly treated by the council over supple-

mentary grants is incorrect.

"In Nottingham, we received a pot of money from Central Government - the Discretionary Grant scheme - which we were asked to distribute among all local businesses. This was never supposed to replace lost income or act as a wage supplement for taxi drivers. The Government compensated individuals directly through its self-employed support programme.

"Instead, Discretionary Grant funding is intended to help with additional Covid-related costs, which for taxi drivers could include things like screens in vehicles and PPE.

"Proportionally-speaking, taxi drivers in Nottingham have received a significant chunk of this discretionary money - around £1million in total.

"We have 2,500 licensed drivers in the city which means we could never provide the individual level of financial support offered by a small number of neighbouring districts. Doing so would have left not a single penny to support other Nottingham businesses. There is no requirement to pay taxi drivers anything out of the Discretionary Grant scheme and, indeed, many councils have chosen not to. We felt differently."





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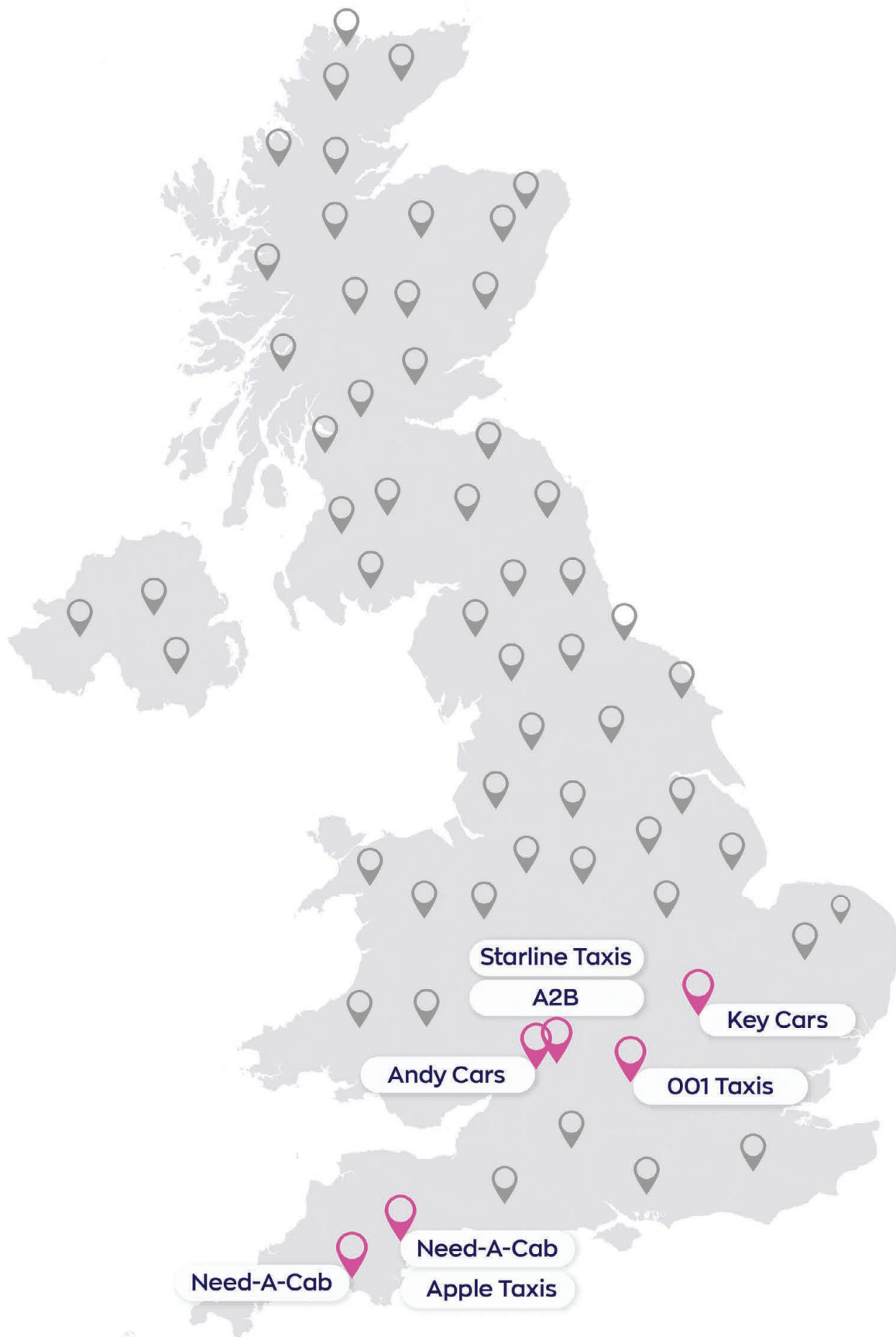
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# PROTEST PLIGHT

## UBER FACES LEGAL ACTION OVER 'RACIST' FACIAL VERIFICATION SYSTEM

Unionised Uber drivers are taking legal action against the ride-hailing app over allegations of using “racially discriminatory” facial verification technology, which they claim has led to dozens of unfair dismissals.

Computer Weekly reports that Uber’s Real-Time ID Check system uses Face API, a face-matching software developed by Microsoft that can be used for either facial verification or recognition, and essentially acts as a comparison tool, checking selfies taken by couriers and drivers as they log in against photographs in Uber’s database to confirm their identities.

The legal action is being brought by two separate unions – the App Drivers and Couriers Union (ADCU) and the International Workers’ Union of Great Britain (IWGB) – which claim that Uber’s use of the technology has led to the wrongful suspension of their members following misidentification by the system.

“Workers are prompted to provide a real-time selfie and they face dismissal if the system fails to match the selfie with a stored reference photo,” said the ADCU. “In turn, private hire drivers who have been dismissed also faced automatic revocation of their private hire driver and vehicle licences by TfL.”

In July 2021, Computer Weekly reported that the transport regulator was facing numerous legal appeals from Uber drivers as a result of its decisions to revoke their private licences on the basis of mistaken information from Uber’s systems.

In the ADCU case, which is being supported by its associated data trust Worker Info Exchange and the Equality & Human Rights Commission (EHRC), the union has filed a claim at the Central London Employment Tribunal on behalf of former UberEats courier Pa Edrissa Manjang and former Uber driver Imran Javaid Raja.

“It is clear that artificial intelligence and

automated decision-making can have a discriminatory impact. The consequences, in the context of deciding people’s access to work, can be devastating. These cases are enormously important,” said the pair’s lawyer, Paul Jennings, a partner at Bates Wells. “AI is rapidly becoming prevalent in all aspects of employment and important principles will be established by the courts when determining these disputes.”

The IWGB has also filed a separate claim for indirect racial discrimination on behalf of an unnamed member, whose account it claims was terminated following a facial recognition error. It further claimed that it has represented more than 200 drivers and couriers who have been unfairly terminated by Uber in the past year on a range of grounds, including facial recognition failures.

Both unions stressed that multiple studies have brought into question the accuracy of facial verification technology, particularly when used to identify people of colour.

In 2018, for example, research from MIT indicated that Microsoft’s facial recognition and detection systems – specifically the Face API being used by Uber – had gender and racial biases, finding it had much higher error rates when identifying people with darker skin.

“Our Real-Time ID Check is designed to protect the safety of everyone who uses the Uber app by helping ensure the correct driver is behind the wheel,” claimed an Uber spokesperson in response to the separate legal actions being taken by the unions, as well as allegations that its facial verification system is racially discriminatory.

“The system includes robust human review to make sure that this algorithm is not making decisions about someone’s livelihood without oversight.”

Alongside legal action, the IWGB organised a 24-hour boycott of Uber on 6 October and an accompanying protest outside the company’s London

HQ on the same day, which was supported by Black Lives Matter UK.

Demands made by the IWGB included increased earnings for drivers after a recent increase in the commission taken by Uber, as well as a fair, transparent process for account terminations.

Henry Chango Lopez, general secretary of the IWGB, added: “Hundreds of drivers and couriers who served through the pandemic have lost their jobs without any due process or evidence of wrongdoing, and this reflects the larger culture at Uber which treats its majority-BAME workers as disposable. Uber must urgently scrap this racist algorithm and reinstate all the drivers it has unfairly terminated.”

A separate strike action organised by ADCU at the end of September 2021 made similar demands of Uber, including that it respect a Supreme Court decision which explicitly ruled that drivers should be paid from when they log in, not just when assigned to trips as Uber decided a month later.

James Farrar, general secretary of the ADCU and director of Worker Info Exchange, said Uber only implemented the facial recognition system to secure the renewal of its licence, which it knew would generate unacceptable failure rates when used against a workforce mainly composed of people of colour.

“Uber then doubled down on the problem by not implementing appropriate safeguards to ensure appropriate human review of algorithmic decision-making,” he added.

The ADCU and IWGB have not been officially recognised by Uber, which instead chose to sign a collective bargaining agreement with GMB in May.

While this was the first time Uber had recognised a union of its drivers anywhere in the world, the agreement does not allow for collective bargaining over drivers’ earnings, including the firm’s implementation of the minimum wage.



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# JUST DESSERTS

## MAN JAILED FOR 10 MONTHS FOR BEATING UP **CORNWALL** CABBIE OVER COMMENTS HE MADE TO GIRLS IN CAB

A man attacked a taxi driver after summoning him to a secluded field in revenge for what he believed were inappropriate comments made towards his sister.

CornwallLive reports that Harry James landed a number of blows on the driver leaving him battered and bruised.

James, 27, of Porthtowan, appeared at Truro Crown Court for sentence having pleaded guilty to assault occasioning actual bodily harm.

Prosecuting the case, Francesca Whetbell told the court how back in October 2019 the victim was working as a taxi driver. He picked up three female passengers, one being James' sister, and during the course of the journey made

a comment about knowing where she lived and possibly something about her bedroom.

James' sister then told the defendant about the comments and along with a female and two males, James requested the taxi for another fare, to meet at a field near the pub. When the taxi driver arrived a door opened and he was subjected to a flurry of blows to the head in the attack that lasted 20 to 30 seconds before James and the two other individuals fled.

The victim suffered cuts and swelling and continues to suffer from post



traumatic stress disorder (PTSD) in relation to the incident. He managed to identify James through Facebook.

Representing James, Robin Smith said: "He is keen to express and demonstrates genuine remorse and shame over how he acted. He is a protective man of those around him. He is hard working and runs his own business."

Sentencing James, Judge Simon Carr said that taxi drivers perform an important role, often working late at night, alone and dealing with drunk people and that it is the court's responsibility to protect such people.

James was jailed for ten months leading to scenes in the courtroom with James' family shouting at the victim.

## 9 MONTHS' JAIL FOR MAN WHO BATTERED **BELFAST** TAXI DRIVER IN 'SAVAGE AND UNPROVOKED' ATTACK

A man who launched a "savage and unprovoked" attack on a taxi driver has started a nine-month prison sentence.

According to BelfastLive, Jonathan Houston, 44, punched the driver in the face and head before breaking off the taxi's wing mirror to continue the assault. Judge Rafferty imposed an 18-month sentence on Houston, from Belfast, after he admitted wounding the taxi driver in March 2019 and threatening to kill him during the violent incident.

The sentence was divided equally between prison and supervised licence. At around 10am on the day in question, the taxi driver was stationary at red lights when he felt a slight bang to the back of his car.

He saw a female in a jeep behind him and got out of his vehicle to talk to her, but she drove on. The taxi driver followed her and when she was stopped in traffic, he approached the jeep and shouted through the window 'I think you just hit my car back there'.

She denied this, drove off again and at that point he took her car registration which he gave to police. The driver went back to his depot and noted damage to the rear light and sensor and then went back to work. But he was called back to the depot after being told him there was a man waiting to speak to him.

He arrived at the depot and was parking his car when he was approached by Houston, who pulled open the driver's door and launched what Judge Rafferty described as a "savage and unprovoked attack".

As Houston administered punches to the head, he said 'you were chasing my girl in the car, telling her she'd crashed'. The taxi driver felt something sharp strike his head, which was caused by the wing mirror which Houston broke off and used as a weapon whilst shouting 'I'll f\*\*\*\*\*g kill you'.

Judge Rafferty said: "The injured party was effectively trapped and at the

mercy of the defendant, who eventually ran off."

The bloodied and battered taxi driver was taken to hospital, where he was treated for lacerations to his head and other facial injuries.

The jeep's vehicle registration was circulated by police and Houston was located at a house, where officers noticed blood smears around the front door, and Houston was arrested.

Defence barrister Michael Boyd said Houston was "remorseful, embarrassed and apologetic" about what happened when he "completely lost self-control". Judge Rafferty said that whilst he accepted the incident was a one-off and that Houston was an otherwise industrious and hard-working man, the attack was so severe that it warranted a prison sentence.

the Judge said: "I fully appreciate it was two and a half years ago but what you did was so serious that an immediate custodial sentence is appropriate."

# JUST DESSERTS

## 20 MONTHS' JAIL FOR RACIST THUG WHO BIT LIVERPOOL CABBIE AFTER BEING REFUSED FARE

A racist thug bit a taxi driver before threatening to hunt down and rape a police officer's children.

The Liverpool Echo reports that James Ryan flew into a rage after two cabbies refused him and his girlfriend fares because of their "aggressive" behaviour. Liverpool Crown Court heard John McEneaney was waiting in his hackney cab, at a taxi rank on Hanover Street in Liverpool city centre. He saw a man and woman trying to get into the back of a cab in front, who looked like they were being "aggressive" to the driver, who drove off.

Paul Blasbery, prosecuting, said the man - Ryan - then turned to Mr McEneaney and said: "I suppose you're not going to f\*\*\*ing take us."

Mr McEneaney decided to drive away, but said Ryan's girlfriend bent down in front of his cab, he believed to try and pull off his registration plate.

Ryan used a vile slur against Mr McEneaney before kicking his cab - damaging the fuel cap - and punching his window, trying to smash it.

Mr Blasbery said Ryan, 39, then tried to pull off his left wing mirror, so the victim got out and said: "Just move away from the cab lad." Ryan knocked him over and the cabbie banged the back of his head, then Ryan straddled him and bit the left side of his head.

Mr Blasbery said Ryan, from Walton, continued to "punch him and bite him whilst he was defenceless on the floor". He said Mr McEneaney "to his credit managed to overpower him" and get to his feet, but Ryan again forced him down and punched him.

When the victim got up a second time, Ryan said "I've got knives, I'm going to f\*\*\*ing stab you, you're only a f\*\*\*ing pensioner" and reached into a holdall, so Mr McEneaney got back in his cab, locked the doors and drove off.

He flagged down police, who arrested Ryan shortly after the attack, at around 11pm, on May 23, 2019.

The victim was treated at hospital for two "superficial" head wounds and given a hepatitis vaccine course, which came back all clear. His previous back injury was aggravated and he was off work for two months.

The victim said he lost £2,400 in earnings and it cost £300 to repair his taxi. Ryan admitted a racially aggravated public order offence, but denied assault causing ABH and criminal damage until the trial.

Ryan was taken to a police station and racially abused a custody officer,



shouting "F\*\*\* you n\*\*\*\*\*, I'm going to rape your kids n\*\*\*\*\*, when I get out of here I will find your details, come round and rape your kids f\*\*\*ing n\*\*\*\*\*."

He has 13 previous convictions for 21 offences, with his last conviction in 2014, including "racially or religiously aggravated violence", common assault and assault causing actual bodily harm. Judge David Potter said "mercifully" the injuries were not as serious as they might have been, but his victim had feared infection.

Jailing him for 20 months, he said: "Licenced taxi drivers provide a valuable service to the community in difficult and often dangerous circumstances and they can expect to feel protected in their workplace."

## JAIL FOR TWO MEN WHO ROBBED TAXI DRIVERS IN BEDFORDSHIRE

Two men have been sentenced for robberies of taxi drivers in Bedfordshire. According to the Bedford Independent, Ryan Edwards, 23, and Tyrese Abbas, 20, of Bletchley, were sentenced on Monday 18 October to more than seven years in total after pleading guilty to the robbery offences.

The first incident took place in October 2019 after a taxi driver picked up a group of men in Kettering and drove them to Bedford. When they arrived at the location the group then grabbed the victim by his neck and stole his earnings and personal documents, before running off from the scene.

The second incident happened a day later when a second taxi driver picked up the offenders in Luton. When arriving at the location in Flitwick, the group threatened the driver with a knife and stole his earnings. The victim managed to sound the car horn to raise alarm and scare off the attackers.



Edwards and Abbas were identified through CCTV in Bedford, and DNA and fingerprints left at the scene in Flitwick and were arrested on 6 January 2020. Ryan Edwards was sentenced to 51 months for two counts of robbery. Additionally, this sentencing activated a previous suspended 33-month sentence for drug-related offences; totalling seven years imprisonment.

Tyrese Abbas was sentenced to 37 months in a Young Offender Institution for two counts of robbery. Both were ordered to pay £362 victim surcharge.





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## GRIMSBY CABBIE STOPS WORKING AFTER MIDNIGHT AFTER MEN VANDALISE HIS CAB

A Grimsby cabbie has vowed never to work after midnight again after his vehicle was vandalised by drunken revellers. The Grimsby Telegraph reports that Andrew McArthur, 59, has been a taxi driver for 27 years, but says he's now had enough of people treating him and other drivers with disrespect.

Andrew said it's like nothing he's ever seen in his time as a taxi driver, and he says the lack of respect shown by some people is the reason there is an apparent shortage of taxi drivers in Grimsby and Cleethorpes.

He said: "On Friday September 27, I picked up seven young men from The Jubilee Inn, Grimsby and took them to Cleethorpes High Street. Unbeknown to me, they decided to have some fun during the journey and threw all my head rests out of the window.

"It is actually a criminal offence to do this and a danger to life.

Once I realised what had happened, I had to backtrack the entire journey, hunting down the headrests. After three and a half hours, I decided to give



up after only finding three of the six.

"I went out the following morning and managed to find another two and another taxi driver managed to find the other one. Three of them are badly damaged, with one being completely unusable. It's such a danger too, if a car was to run over one of them on the road it could have flicked up and hit someone, killing them."

Following the incident, Andrew has taken the decision to no longer work past midnight to stop things like this from happening again. He explained: "After 27 years, nothing really surprises

me, but that threw me completely. I don't understand why they've done this. There's no respect for other's property and they're ruining my livelihood.

"They also brought drinks into the car which were spilt all over the interior and they left a load of glass on the floor, leaving me to foot a cleaning bill.

"I've had enough, regardless of how busy it is, I'll go home at midnight now.

"I know a lot of drivers feel the same too. They show us no respect and people wonder why they can't get taxis late at night.

"It's so annoying that someone has done this, they've disrespected me and thought it was a joke when it really isn't." There is already a shortage of taxi drivers in Grimsby and Cleethorpes, particularly those working late at night. Earlier this month, Grimsby Live revealed the lack of cabbies led to people walking long distances following a night out.

The shortage was first highlighted in the summer and the problem is set to get worse as Christmas approaches.

## MAN ATTACKED COVENTRY CABBIE THREATENING TO SET CAB ON FIRE

Police are appealing for help to find this man after he attacked a taxi driver in Coventry. The Coventry Telegraph reports that the attack happened on Linwood Drive, Woodway Park, Coventry some time after midnight on August 24.

Coventry Police say he became aggressive and punched the taxi driver before threatening to set the car on fire.

The cabbie wasn't injured in the assault but was left very shaken up.

Police are urging anyone who recognises the man pictured to contact them via the Live Chat on the force website or call 101 quoting crime reference number 20/1573600/21.

Details can also be passed on via Crimestoppers on 0800 555 111 or visit [www.crimestoppers-uk.org](http://www.crimestoppers-uk.org).



## MAN CHARGED IN CONNECTION WITH ASSAULTING TAMESIDE CABBIE

A 25-year-old man from Hyde has been charged in connection with the assault of a taxi driver in Dukinfield, who was hospitalised with serious injuries and had cash stolen from him.

According to Quest Media, James Richards, of Hattersley Road West, has been charged with section 18 assault, theft from a person and attempted theft from a person.

Greater Manchester Police say that he has been remanded into custody ahead of an appearance at Tameside Magistrates' Court.

Officers were called around 2.40am on Saturday morning, 23 October, to Foundry Street in Dukinfield to a report that a taxi driver had been assaulted.

During the assault, money was also stolen from the victim. The driver - a 56-year-old man - was taken to hospital with serious facial injuries.



## THREE TEENAGERS CHARGED WITH ROBBERY OF LONDON PHV DRIVER CAUGHT ON DASHCAM

Shocking video has emerged of a FreeNow driver being attacked by a hooded gang during an alleged gunpoint robbery in London

The Daily Mail reports that dash-cam footage shows the four-strong group getting into the private hire vehicle before launching an attack on the driver in the Ladbroke Grove area of west London on Sunday, October 17.

Video shows three members of the group getting into the back of the vehicle around 11.35pm. The group are heard urging the driver to allow a fourth member of the group into the private hire vehicle.

One hooded male is heard saying: "I want four of us in the car. If I can't get four of us in the car I'm going to get angry. All my friends are coming in bro." The video shows the same member then grabbing the driver around the neck before punching him.

Another member of the group is seen



opening the driver's door before the driver is pulled out of the vehicle.

The dash-cam footage then shows a hooded man sitting in the driver's seat. The driver, who reported the incident to the police, claimed to officers he was threatened with a gun by the group. He was not injured during the incident, police say.

Scotland Yard has launched an investigation and have now charged three

people in relation to the incident.

Police say three teenagers, two aged 17 and one aged 15, have been charged with robbery and attempted robbery.

The teenagers, who cannot be named for legal reasons, have been kept in custody ahead of an appearance at Highbury Corner Magistrates' Court.

A FreeNow spokesperson told Mail-Online: "The safety of all drivers and passengers when using the FreeNow app is a fundamental priority for us.

"We are aware of this particular incident and are fully supporting the police investigation. We take matters like this seriously so when notified of what happened we reported it to the police shortly after this incident took place.

"As we have a zero tolerance policy towards customers abusing or assaulting drivers we have taken the additional measure of blocking not only the accounts linked to this incident but also the devices."

## THE ESTATE IN NEWPORT WHERE TAXI AND PHV DRIVERS ARE TOO SCARED TO GO AFTER DARK

Residents and business owners at an estate in Newport, Gwent, have said they are living a nightmare because of problems with drugs and anti-social behaviour which have led to some city taxi and bus drivers refusing to go there at night.

According to WalesOnline, in Alway, which is one of the most deprived areas of Newport, people have described how they are struggling to leave their homes for work because public transport won't go there after 7pm.

Traders have told stories of youths ringing taxis and waiting for them to arrive before ripping stickers off the vehicles and throwing stones at them. Karen Clare, who also lives on the estate, posted on social media a

picture of a vehicle she was in having been vandalised.

"It has been going on for some time and it appears taxis and buses are the main targets," another resident, Michelle Davey, said. "But others have had their cars damaged and have nearly crashed. I can see someone being seriously hurt soon. I rely on taxis for my journeys from work and some companies will not come into Alway." Traders in the area have received a letter from the police informing them they will have more support to help combat crime in the area affecting their businesses, and a dispersal order is now also in place for the estate, but many have said much more needs to be done. Every window in the old vicarage next

door to Saint Teilo's church has been smashed and they are all now boarded up. People living nearby told of watching hooded vandals throwing bricks at the house for days before each window was wrecked.

The residents, who said the area was "rapidly turning into a no-go zone", said issues of anti-social behaviour and drug use needed to be publicised, but added that they were too concerned of the repercussions should they speak openly about the problems in the area. Malcolm Robinson, 77, who has lived on the estate for 13 years, was asked what he thought about a dispersal order for the area giving police extra powers to deal with anti-social behaviour, he said: "I don't think it will make a difference."

## LICENSING IN A POST COVID WORLD

Article by Mike Smith, Senior Specialist for Licensing and Community Safety at Guildford Borough Council and Vice-Chair of the Institute of Licensing South East Region.

Following my article about the role of the Institute of Licensing in October's edition, I was keen to follow up with another article from a licensing perspective in order to promote the work of the Institute of Licensing (IoL) to raise standards in licensing and encourage membership amongst the trade. As I explained in my last article, the **PHTM EXPO** was my first event 'post covid' and how licensing may look 'post covid' is the focus of this month's article.

Please note that this article represents my own views and are not presented as the views of the Institute of Licensing.

### ARE WE IN A 'POST COVID' WORLD?

Whilst everyone talks about a 'post covid' world, in the seven days up to the date this article was written there were nearly 300,000 reported covid cases indicating that covid, and the risks and apprehension that this brings, are still very much with us. Certainly, for local authorities, and licensing in particular, we are still dealing with a backlog of work caused by covid, such as noise complaints about licensed premises, and the more 'proactive' inspection work which has been on the back burner; while still dealing with the potential risks of covid under Health and Safety Legislation at licensed premises and events. Equally members of the licensed trade will still be considering precautions such as wearing face coverings and increased cleaning in order to reduce the risk of covid.

Covid continues to impact on everyone. We may be mostly free of restrictions at present, but the impact of the pandemic is still being felt in all sectors. Other recent challenges have included the 'fuel crisis' and stark warnings about availability of goods for the festive period due to a shortage of HGV drivers, with covid a contributing factor. The fuel crisis in particular, was a real concern for everyone, but would have been so much worse for members of the trade who absolutely rely on fuel to work. An empty tank is pretty finite and an unwelcome complication for members of the trade working hard to recover from the covid restrictions.

As the trade and local authorities emerge from what will hopefully be the end of restrictions, we can start to take stock of where we are and consider what the next few months will bring.

### DRIVER NUMBERS

The loss of drivers in the trade has been well documented recently. Drivers have left for a combination of reasons, and this reduction in licence holders is being experienced across many industries including taxis and private hire, other transport industries (notably HGV transport), hospitality, and security services.

Local Authorities would normally expect a level of 'churn' in licensed drivers, but there is currently a notable lack of new driver applications. There could be a number of reasons for this.

There have been cases, particularly in the early days of the pandemic, where some local authorities effectively closed their licensing services and ceased to accept new applications. It is certainly the case that in the initial stages of the pandemic, processes required rapid review and local authorities had to find new ways to undertake the statutory licensing function while contending with office closures and working from home. I would hope that by now, most local authorities have adapted, and most have done a fantastic job at a very difficult time. The IoL has proactively promoted the need (and statutory requirement) to continue to undertake the licensing function, and 'post covid' most organisations should have contingency plans now in place to be able to operate even during times of government restriction.

In the case of my own local authority, Guildford has administered an 'online' knowledge test which is proving popular, but the numbers are still down compared to a few years ago. We are also finding that some potential drivers opt for licensing with TfL to enable them to work with app-based companies licensed with TfL and operating in Guildford.

There have been some calls for councils to lower standards in order to 'encourage' drivers into the trade. Reduction in standards is likely to impact adversely on public safety and undermine the licensing regime which is ultimately there to protect customers, and local authorities should resist such calls. Local authorities have a legal duty to ensure that the people being granted driver licences are fit and proper for the role, not to make life easier for firms competing with other operators. Undermining standards will also do a disservice to those members of the trade who operate to a high standard and result in a worse service to customers. Furthermore, any easing of criteria would likely go against the DfT's Statutory Taxi & Private Hire Vehicle Standards (published in July 2020), which seek to address some areas of inconsistency between authorities with a view to increasing protection of passengers.

# IoL - ALL THINGS LICENSING



## LICENCE FEES

You may think that less drivers means less time to process applications and hence licence fees will reduce. This isn't necessarily the case. Each council will set their fees differently - there isn't a consistent method and costs vary between authorities.

## MORE GUIDANCE FOR COUNCILS

Now you may think that less drivers means less work for licensing authorities; however this isn't necessarily true. The DfT Standards mentioned above represent **statutory** guidance which the government expects local authorities to implement by the end of the year. This means councils must review their licensing policy, and they should consult industry members in their area as part of the process.

In addition, local authorities have recently been issued with updated guidance about how to check an applicant's '**right to work**' following a temporary period of allowing remote checks due to restrictions.

Furthermore, and importantly, '**Tax Conditionality**' takes effect from April 2022, requiring tax checks as part of the licence application process for drivers and operators. New applicants will be advised on the need to be tax registered and signposted to HMRC. But for renewal applications, the council will not be able to process the application from April 2022 unless the applicant provides a 9-character tax check code.

It is essential that all drivers and operators are aware of the Tax Conditionality requirements. You will need a Government Gateway user ID and password to complete a tax check, so make sure you have one well before you need to renew your licence. The process should be very straightforward providing you are properly registered for tax, and therefore able to generate the required tax check code for your application.

HMRC have provided some useful guidance for applicants, and you will find this on their website at:

<https://www.gov.uk/guidance/changes-for-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022>

The incoming requirements will affect all licensed drivers and private hire operators and there may be instances where applications are delayed as both councils and the trade adjust. Making sure you are registered and have your Government Gateway user ID and password, will minimise the likelihood of your application being held up.

Less time may be spent on processing applications, however where licensing officers have been working on updating policies and supporting the trade during the pandemic, time has still been spent on licensing. As such if councils recover their costs from the number of licence holders, if there are less licence holders then this may mean a higher cost per licence.

In addition, before the pandemic at the end of 2019 there was a relevant piece of case law, **R (on the application of Abdul Rehman on behalf of the Wakefield District Hackney Carriage and Private Hire Association) v Wakefield District Council and the Local Government Association (intervener)**, concerning the setting of licensing fees. Essentially this judgement clarified the position of recovering enforcement costs against a driver's licence. Before this judgement, most councils did not recover enforcement costs against drivers as this was generally not considered to fall within the recoverable costs of 'issue and administration' as outlined as being chargeable in the legislation. However this judgement has clarified that enforcement costs against drivers can be recovered under the driver licence fees.

It is well reported that councils are struggling financially and consequently I envisage that many will seek to ensure they are recovering what they are legally entitled to in light of this judgement when reviewing licence fees post covid.

With so much going on in the world of licensing which is likely to affect the licensed trade, I emphasise the importance about being 'in the know' about licensing issues and what your local authority should (or shouldn't) be doing, with the reasons behind it. I would encourage members of the trade to join the Institute of Licensing to keep on top of the latest goings on.

For the Institute, November is a big month, with it's signature National Training Conference which will be taking place in Stratford upon Avon from 17 to 19 November in Stratford-upon-Avon. The conference has top quality speakers from across the fields of licensing and from all professions, including the trade, legal, central and local government. At the time of writing there were a limited number of spaces still available and as such I hope to see members of the trade there!





## THE DILEMMA OF FERRYING PEOPLE AROUND YOU SUSPECT TO BE DEALING DRUGS

**This month I would like to touch on a subject which more than likely most of the cab trade has experienced at one time or another and that is... drug dealers.**

Without going into details, I have recently been involved with this matter which has highlighted the risk that the trade undertakes when picking up total strangers and transporting them from A to B... and sometimes from B to C, C to D and back to A.

As a hackney driver, I think that there is a slightly higher risk on the basis that a street or rank hiring is completely anonymous. No address, no phone number and no app connection to the customer.

With private hire bookings there is at least the identification of the phone number unless a 'burner' is used. So although I am on a circuit I mainly address this matter as a hackney where Mr or Ms Anonymous jumps into my cab off the street or from a rank.

During the pandemic, from March 2010 until August 2021, I took this time off and my cab stayed at home where my brake discs were able to gather rust. It was a hard time for me and my colleagues who did the same but there were some who did gruelling hours but still ended up with a pittance. I have absolutely no doubt that this was the same throughout the land in the cab trade.

Nevertheless, from what I have been told, drug dealers in the city were doing a roaring trade and using the local cabs on a frequent basis, which is where those drivers, who still ventured out, were getting extra long fares.

Now, before I am jumped on, I have to make it very clear that I do not know this as a fact as it is only what I have been told - but I consider it to be credible.

However, the very first job I did when I came back to work was, as it turned out, a drug run. I was merrily driving to a rank when I saw the hand go up and so I pulled over. Being my first job after so much time off it

felt quite strange, even after being in the trade for nearly forty-years. It was almost like the very first job I did when I started.

So I get the address and off we go. We get there and I am asked to wait and £20 is dropped onto the front passenger seat. He disappears and I get asked to go to another address... and then another... and then back to where I picked him up. Total on the meter £45 and I have just assisted a drug dealer.

Later during that night I get a circuit job to pick up at an address and activate 'Arrived'. I get there and wait and after contemplating contacting the office as no one was coming from the address, two burly gents approach me from down the road and get in. I say to them "Sorry did we get the wrong address?" which was met with a grunt. I am asked or actually grunted at (in a foreign accent) to head to the centre of the city.

Now when I say these were 'burly' I actually mean built like the proverbial out-house, with hands like shovels and chins to match, but I am sure that their mothers loved them.

So off we go and I then I am eventually asked to pull in and I think: "Well that wasn't too bad and there is £7 on the meter". But then one gets out and off he goes whilst the other stays behind. To be honest if they both got out and left without paying I wouldn't have actually minded having seen the scar on the face of one of them.

After a while the guy returns and off we go to another address, and then another and few more and back to where I picked them up with £30 on the meter which is dropped on the front seat and they leave.

I know exactly what you are thinking: "Why didn't I get out and confront them asking where my tip was". Actually, funnily enough it never crossed my mind!

So on my first day back to work I have had the pleasure of undertaking two drug runs completely and absolutely innocently... your Honour!



# SHOVEL HANDS & BIG CHINS

*For an example of we have to put up with, which has been reported in the press, please see the Guildford story on page 15.*

If anyone knows me then they are fully aware that I don't drink, don't smoke and I have never been tempted to even have a single puff on an illicit roll-up let alone partake in recreational drugs. Give me a cup of tea and digestive any day....

Over the following few weeks as a trade rep I became involved in two such related matters to do with the trade which became an eye-opener to me and I also explored this issue with colleagues. You have to appreciate that I am treading carefully here in what I am putting down.

I did a tweet about drug running in the trade and being the totally naive person that I am on such matters I was very surprised to read tweets from what I presume were cab drivers from unknown areas almost brag that drug running is a normal every day job for them. Effectively knowing full well what they are doing and without a care in the world and from those tweets it would not surprise me if many of those such drivers are reading this.

I decided to make this subject a point of discussion with our Taxi Trade Form, which consists of reps from the companies and individual groups. We concluded that we all know very well that there is very little that can be done about it, but we would seek advice from the council. However from my experience (that I have not gone into detail about) I know that if a cab driver is caught being involved in drug running then the consequences are that they can not only lose their cab driving licence but also their vehicle licence as well.

I put it to the trade reps that if it is the case that our trade is increasingly being used for drug running by mostly drivers innocent of being directly involved, then we must seek advice from the council to protect ourselves. We have already been through CSE and

human trafficking training for the protection of the vulnerable but there has never been any direct guidance of when we end up with running drug dealers around.

So at the next main Taxi Trade Forum meeting with the council I put it to our licensing officers as to what a driver should do when it is discovered that the passenger or passengers are dealing in drugs whilst transporting them from one drop to another. What is it that the driver can do to protect not only their well-being but their licence as well?

I went on to explain that whatever passenger is picked up at the best of times the driver has no idea as to whether weapons are being carried. I also stated that even the fact that we have council controlled CCTV in all our vehicles does not seem to put drug dealers off.

I wasn't expecting an immediate response but of course we were told that there is a number to call for incidents such as this, albeit anonymously. I did explain however that I very much doubt that any driver would want to go any further in reporting drug dealing for fear of repercussions (at the same time thinking of those shovel hands and enormous chins).

So we have left it with Licensing to provide guidelines on what we should do when carrying drug dealers in our cabs.

What I want Licensing to put to us in writing is: to carry out a risk assessment and to protect ourselves, which for all intents and purposes is effectively to carry on driving as normal, because this is what I want to quote if at anytime I am pulled over and my cab seized... which is what has happened here more than a few times.

**When we get that advice I will report it here... now where is my cup of tea and digestive...**

**Andy Peters**

**Brighton & Hove Cab Trade**

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# KNOW YOUR RIGHTS

In this month's edition we feature more road traffic issues relevant to the trade supplied by Patterson Law. In particular we have focused on a legal argument known as special reasons. Most traffic offences are strict liability, meaning they do not require intent for an offence to be committed. For example, you don't have to intend to speed in order to be guilty of speeding - you can do it accidentally yet still be guilty. It is different from, say, theft, which does require intent. Writing the law in this way provides certainty for road users and without doubt saves police time as they don't have to investigate millions of speeding offences to work out whether a driver intended to speed. However it does create cases where people are guilty but haven't meant to commit an offence or where there is a good reason as to why the offence has happened, which doesn't seem fair. And this is where special reasons come in.

A special reason is where somebody is guilty but the court agrees that there are special reasons for not endorsing their licence with penalty points or disqualifying them from driving. It's a way for the law to stay simple yet fair.

There are various points to these arguments and a number of areas which they cover, but the key is that it has to be connected with the commission of the offence. So for example a special reason cannot be that somebody is dependent on their licence to work or for their family, instead a special reason has to be a reason as to why they committed the offence in the first place. Below are real questions that we have been asked where a special reasons argument might be available. This area of law is complicated and we would always advise seeking expert legal advice before attempting to present any such argument yourself. If you need any advice on motoring matters, email [advice@pattersonlaw.co.uk](mailto:advice@pattersonlaw.co.uk) or call 01626 359 800 for free legal advice.

Q

I'm being prosecuted for drink driving but it wasn't even my fault. I was at the pub for the semi-final and my friends were all buying rounds of drinks. I was asking for single vodka and cokes but doubles were on offer and so my friends were getting me doubles without telling me. I thought I only had three singles but actually I had three doubles and ended up being over the limit. I want to take this to court because it wasn't my fault. I told my friends they will need to give a statement but they won't unless I can guarantee they won't get into trouble.

A

Drink-driving is an extremely serious offence that carries a mandatory minimum 12 month disqualification (possibly more depending on the reading), an unlimited fine and up to 6 months in prison.

From what you have said you may have a 'special reasons' argument available on the basis of "laced drinks". If the Court find in our favour you may come away with no ban at all. In order to run a laced drinks argument there are three criteria that we would need to show;

- 1) Evidence that your drinks were laced. This means getting evidence from your friends who bought you doubles. They would all need to give statements and probably come to court to give evidence as well. Unfortunately I cannot guarantee that your friends would not get into trouble. They may be prosecuted for causing you to drink drive and could receive 10 points.
- 2) That you did not know nor suspect that your drinks had been laced. This means we need to explore whether they told you, whether you tasted the difference and whether you felt more drunk than usual.
- 3) That without the additional alcohol you would have been under the legal limit. It is more than likely we will need to get a toxicologist to provide an expert report to show this.

We need to work quickly. There are often strict deadlines and

timetables in these types of cases and if we miss those deadlines to serve witness statements and expert reports then we may not be allowed to rely on vital evidence at the hearing.

Q

I was on the motorway and an Audi came right up behind me flashing his lights asking me to pull over. I wasn't doing anything wrong so I put my foot down to put some distance between me and him and I was caught going at 90 in a 70. Can I challenge it?

A

Potentially it could be a special reason. If you accept that you put your foot down and you were travelling at 90 then it's unlikely that there would have been anything wrong with the recording equipment and I would not advise defending the matter. However you may have a special reasons argument available on the basis that you were only speeding to keep yourself safe and to put some distance between you and the car behind you.

However, the weakness in your case is going to be the intention - if you intentionally increased your speed to put some distance between you and the Audi. Generally special reasons are only found when there is no intent. I would like to know more about it though. We may be able to argue that it was never your intention to commit an offence but there was no other option, so I'd like to know how long he was following you for, how close he was and why you couldn't have moved over to the left out of his way. Call us so we can go through it in more detail and look to see whether you have a good argument.

Q

Can I get a drink driving ban reduced because I only drove a short distance?

A

Potentially, yes. This could be a special reason. In the case of **Chatters -v- Burke** the Divisional Court held that in order to amount to a special reason on the



# KNOW YOUR RIGHTS

basis of the shortness of the distance driven, seven criteria must be considered, which are: -

- 1) How far the vehicle was driven;
- 2) In what manner it was driven;
- 3) The state of the vehicle;
- 4) Whether the driver intended to go further;
- 5) The road and traffic conditions prevailing at the time;
- 6) If there was a possibility of danger by coming into contact with other road users or pedestrians;
- 7) What the reason was for the car being driven.

So you will need to go through each criteria one by one to determine whether or not you have a good argument. The most important ones are how far the vehicle was driven (in that realistically we are looking at yards rather than miles) whether there was possibility of coming into contact with other pedestrians or road users, and whether the driver intended to go further. If you think you have an argument then by all means call us and we can offer free initial legal advice.

**Q** Can I defend drink driving if I was driving for an emergency? The only reason I drove when drunk is because I got a call from my best friend who had fallen down the stairs and broken her leg.

**A** A genuine emergency can be either a defence or a special reason in law, however there is no easy answer to your question. The defence of emergency can be complicated and each case is dependent on its own facts. The first thing the court will usually consider is the nature of the emergency - whether it was acute enough to justify drink driving. Were there any alternate methods available to you, such as walking, cycling, getting a taxi? Or if it is a medical emergency whether you could have called the emergency services instead of driving.

They will consider the manner of your driving as well, in addition to the alcohol reading. Even in critical situations, if you are three or four times above the limit or if the standard of driving was appalling, then the court might not find the defence purely because of the danger caused to the general public by your driving. The same applies if she lives far away. If she lived round the corner it is more likely to be successful than if she lived 50 miles away.

We also have to have a look at the evidence. When you were stopped, did you raise it with the police? Generally in an emergency the driver would raise the issue and if you didn't they will question your credibility.

It is important we get this right. If you enter a guilty plea without putting forward any argument then drink driving carries a minimum 12 month ban, longer with higher readings and potentially custody if the reading is very high. However if you enter a not guilty plea and you lose after a trial, then you have lost all credit meaning that when you are sentenced you will receive higher fines and costs and potentially a

longer disqualification. It is therefore vital that you enter the correct plea and present the correct argument.

**Q** I had to drive through a red light to allow a police car to pass and I was flashed by a camera. Is this an automatic defence?

**A** No, it's not a defence - technically you are guilty of driving through a red light. But there could be a special reasons argument on the basis that the only reason you did was to allow an emergency vehicle to pass. It does mean entering a guilty plea but if the court agree there are special reasons then they have the power not to endorse points.

Firstly we need to reject any conditional offer a fixed penalty that you might have been given and take the case to court. We can then argue your case in court to try to avoid points.

**Q** I'm being prosecuted for driving without insurance. I thought my insurance policy was going to automatically renew at the end of the year but it didn't. It was with a new company I'd never used before. All my previous policies have. I didn't receive the letter telling me that it was going to cancel but I still think they should have called me. I made a complaint to the insurance company but they are not accepting fault. Is there anything I can do?

**A** Potentially this might be a special reasons argument. In order to argue special reasons for driving without insurance you have to show that you had a genuine misapprehension that insurance was in existence and secondly that this misapprehension was based on reasonable grounds.

I think you would satisfy the genuine stage quite nicely. It's quite obvious that you genuinely thought you were insured. However the question for the court is going to be whether it was reasonable for you to think that.

The weak part about your case is that no one has misled you into thinking you were insured. The court expects you to at least review your new policy documents when you receive them and to make a note of when it's going to expire - and double check it has been renewed. The court might accuse you of neglecting your policy which might not quite be enough to amount to a special reason. We can argue it, but unfortunately it is unlikely to be successful.

If you need advice on motoring matters  
please email [advice@pattersonlaw.co.uk](mailto:advice@pattersonlaw.co.uk)  
or for regular updates on  
road traffic law follow us on  
[facebook.com/PattersonLawMotoringSolicitors](https://facebook.com/PattersonLawMotoringSolicitors) or  
[twitter.com/Patterson\\_law\\_](https://twitter.com/Patterson_law_)

**PattersonLaw**  
THE DRIVER DEFENCE SERVICE

# The Bryan Roland Memorial

## NATIONAL HACKNEY FARES TABLE

### NOVEMBER 2021

TABLE  
COLOUR CODE

RISE IN 2021
RISE IN 2020
RISE IN 2019
RISE IN 2018
RISE IN 2017
RISE IN 2016
RISE IN 2015
RISE IN 2014
RISE IN 2013
RISE IN 2012
RISE IN 2011
RISE IN 2010
RISE IN 2009
RISE IN 2008
NO SET FARE

POSITION	TARIFF ONE COUNCIL/AIRPORT	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE
1	LONDON (HEATHROW)	£11.40	66	BRACKNELL FOREST	£6.60	131	BIRMINGHAM	£6.20
2	LUTON AIRPORT	£9.70	67	BRENTWOOD	£6.60	132	BRAINTREE	£6.20
3	EPSOM & EWELL	£8.60	68	CAMBRIDGE CITY	£6.60	133	CARMARTHENSHIRE	£6.20
4	LONDON	£8.60	69	EAST DORSET	£6.60	134	CHICHESTER	£6.20
5	WATFORD (x)	£8.40	70	EAST SUFFOLK (NORTH)	£6.60	135	DAVENTRY	£6.20
6	UTTLESFORD	£8.30	71	EXETER	£6.60	136	DERBY	£6.20
7	READING	£8.00	72	HARLOW	£6.60	137	EAST CAMBRIDGESHIRE	£6.20
8	GUILDFORD	£7.60	73	HIGH PEAK	£6.60	138	EAST SUFFOLK (SOUTH)	£6.20
9	KERRIER	£7.60	74	MEDWAY	£6.60	139	FOLKESTONE & HYTHE	£6.20
10	OXFORD CITY	£7.60	75	MORAY (x)	£6.60	140	HORSHAM	£6.20
11	JERSEY	£7.43	76	NORTH HERTS	£6.60	141	NORTHAMPTON	£6.20
12	BCP	£7.20	77	NORWICH	£6.60	142	NORTH EAST LINCOLNSHIRE	£6.20
13	BRIGHTON & HOVE	£7.40	78	SCARBOROUGH	£6.60	143	PORTSMOUTH UA	£6.20
14	CHELTENHAM	£7.40	79	SHETLAND ISLES	£6.60	144	ROCHFORD	£6.20
15	MAIDSTONE	£7.40	80	SOUTH CAMBRIDGE	£6.60	145	RUNNIMEDE	£6.20
16	MID SUSSEX	£7.40	81	SOUTH GLOUCESTER	£6.60	146	SOLIHULL	£6.20
17	CARRICK	£7.30	82	TEIGNBRIDGE	£6.60	147	SOUTHAMPTON	£6.20
18	BATH & NORTH EAST SOMERSET	£7.20	83	NORTH DEVON	£6.55	148	SPELTHORNE	£6.20
19	TORRIDGE	£7.20	84	ASHFORD	£6.50	149	ST ALBANS	£6.20
20	TUNBRIDGE WELLS	£7.20	85	DURHAM COUNTY COUNCIL	£6.50	150	STRATFORD ON AVON	£6.20
21	YORK	£7.20	86	HUNTINGDONSHIRE	£6.50	151	TAUNTON DEANE	£6.20
22	CHELMSFORD	£7.10	87	LUTON	£6.50	152	WEST OXFORD	£6.20
23	DARTFORD	£7.10	88	SOUTH SOMERSET	£6.50	153	WINCHESTER	£6.20
24	DOVER	£7.10	89	WORTHING	£6.50	154	CENTRAL BEDFORDSHIRE	£6.13
25	GUERNSEY	£7.10	90	BRISTOL	£6.40	155	ABERDEENSHIRE	£6.10
26	MOLE VALLEY	£7.10	91	CANTERBURY	£6.40	156	CARDIFF	£6.10
27	PENWITH	£7.10	92	COUNTY OF HEREFORD	£6.40	157	CLACKMANNAN	£6.10
28	SEVENOAKS	£7.06	93	CREWE & NANTWICH	£6.40	158	EAST HERTS	£6.10
29	EAST LOTHIAN	£7.00	94	EAST HAMPSHIRE	£6.40	159	ELMBRIDGE	£6.10
30	HARROGATE	£7.00	95	HASTINGS	£6.40	160	FYLDE	£6.10
31	HERTSMERE	£7.00	96	IPSWICH	£6.40	161	NEW FOREST	£6.10
32	STROUD	£7.00	97	LEEDS	£6.40	162	NORTH WARWICK	£6.10
33	TONBRIDGE & MALLING	£7.00	98	LINCOLN	£6.40	163	SOUTH AYRSHIRE	£6.10
34	WELWYN HATFIELD	£7.00	99	MALVERN HILLS	£6.40	164	TAMWORTH	£6.10
35	WILTSHIRE	£7.00	100	MELTON	£6.40	165	SELBY	£6.06
36	RESTORMEL	£6.95	101	MID SUFFOLK	£6.40	166	CHARNWOOD	£6.05
37	COLCHESTER	£6.90	102	NORTH KESTEVEN	£6.40	167	SCOTTISH BORDERS	£6.05
38	EASTBOURNE	£6.90	103	PURBECK	£6.40	168	ABERDEEN CITY	£6.00
39	VALE OF WHITE HORSE	£6.90	104	RUSHMOOR	£6.40	169	BASILDON	£6.00
40	WEALDON	£6.90	105	SHEFFIELD	£6.40	170	BLACKPOOL	£6.00
41	WEYMOUTH & PORTLAND	£6.90	106	SHROPSHIRE	£6.40	171	BOSTON	£6.00
42	ADUR	£6.80	107	SOUTHEND ON SEA	£6.40	172	BROXTOWE	£6.00
43	CARADON	£6.80	108	SOUTH LAKELAND	£6.40	173	BUCKINGHAMSHIRE	£6.00
44	EAST DEVON	£6.80	109	STEVENAGE	£6.40	174	CASTLE POINT	£6.00
45	FIFE	£6.80	110	SURREY HEATH	£6.40	175	CONWY	£6.00
46	GLASGOW	£6.80	111	TENDRING	£6.40	176	EAST AYRSHIRE	£6.00
47	GRAVESHAM	£6.80	112	WAVERLEY	£6.40	177	EAST LINDSEY	£6.00
48	HART (x)	£6.80	113	WINDSOR & MAIDENHEAD	£6.40	178	EAST STAFFORDSHIRE	£6.00
49	MENDIP	£6.80	114	WOKING	£6.40	179	GLOUCESTER	£6.00
50	NORTH CORNWALL	£6.80	115	WOKINGHAM	£6.40	180	GREAT YARMOUTH	£6.00
51	NOTTINGHAM	£6.80	116	NEWARK & SHERWOOD	£6.32	181	GWYNEDD	£6.00
52	SEDGEMOOR	£6.80	117	BLACKBURN	£6.30	182	ISLE OF WIGHT	£6.00
53	SWALE	£6.80	118	BURY	£6.30	183	KETTERING	£6.00
54	WEST BERKSHIRE	£6.80	119	COTSWOLD (y)	£6.30	184	KINGS LYNN & WEST NORFOLK	£6.00
55	EDINBURGH	£6.75	120	COVENTRY	£6.30	185	MILTON KEYNES	£6.00
56	NUNEATON & BEDWORTH	£6.75	121	DACORUM	£6.30	186	NORTH DORSET	£6.00
57	TORBAY	£6.75	122	ISLE OF MAN	£6.30	187	PRESTON	£6.00
58	CHESTER	£6.70	123	LEWES	£6.30	188	RYEDALE	£6.00
59	CRAWLEY	£6.70	124	PEMBROKESHIRE	£6.30	189	SLOUGH	£6.00
60	EASTLEIGH	£6.70	125	PLYMOUTH	£6.30	190	SOUTH HAMS	£6.00
61	ROTHER	£6.70	126	SOUTH HOLLAND	£6.30	191	SOUTH TYNESIDE	£6.00
62	SWINDON	£6.70	127	FOREST OF DEAN	£6.27	192	STOCKPORT	£6.00
63	HARBOROUGH	£6.68	128	BABERGH	£6.26	193	TAMESIDE	£6.00
64	ARUN	£6.60	129	MIDLOTHIAN	£6.22	194	TEST VALLEY (x)	£6.00
65	BASINGSTOKE & DEANE	£6.60	130	ARGYLL & BUTE	£6.20	195	THREE RIVERS	£6.00

POSITION	TARIFF ONE COUNCIL	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE	POSITION	TARIFF ONE COUNCIL	TWO MILE FARE
196	THURROCK	£6.00	261	NEWPORT	£5.60	326	GATESHEAD	£5.10
197	VALE OF GLAMORGAN	£6.00	262	NORTH WEST LEICESTER	£5.60	327	SEFTON	£5.10
198	WARWICK	£6.00	263	RICHMONDSHIRE	£5.60	328	SOUTH STAFFORDSHIRE	£5.10
199	WEST DORSET	£6.00	264	RUSHCLIFFE	£5.60	329	COPELAND	£5.00
200	WEST LINDSEY	£6.00	265	SANDWELL	£5.60	330	EAST NORTHANTS	£5.00
201	WIRRAL	£6.00	266	SUNDERLAND	£5.60	331	KIRKLEES	£5.00
202	DARLINGTON	£5.95	267	WEST LOTHIAN (x)	£5.60	332	NORTH LANARKSHIRE	£5.00
203	BASSETLAW	£5.90	268	WOLVERHAMPTON (x)	£5.60	333	PETERBOROUGH	£5.00
204	BROXBORNE	£5.90	269	WREXHAM	£5.60	334	ROCHDALE	£5.00
205	DUDLEY	£5.90	270	CHERWELL	£5.56	335	ROSSENDALE	£5.00
206	KINGSTON-UPON-HULL	£5.90	271	NEWCASTLE-UNDER-LYME	£5.55	336	SOUTH NORTHANTS	£5.00
207	MANCHESTER	£5.90	272	DUMFRIES & GALLOWAY	£5.50	337	STOKE-ON-TRENT UA	£4.95
208	NORTHUMBERLAND	£5.90	273	EAST DUNBARTONSHIRE	£5.50	338	CORBY	£4.90
209	STAFFORD	£5.90	274	EDEN	£5.50	339	TELFORD & WREKIN	£4.90
210	TANDBRIDGE	£5.90	275	EPPING FOREST	£5.50	340	WELLINGBOROUGH	£4.90
211	WALSALL	£5.90	276	EREWASH	£5.50	341	WESTERN ISLES (x)	£4.85
212	CALDERDALE	£5.85	277	FALKIRK	£5.50	342	ASHFIELD	£4.80
213	TEWKESBURY	£5.85	278	HAMBLETON	£5.50	343	DERBYSHIRE DALES	£4.80
214	BARNLEY	£5.80	279	MERTHYR TYDFIL	£5.50	344	HARTLEPOOL	£4.80
215	BEDFORD	£5.80	280	OLDHAM	£5.50	345	HYNDBURN	£4.70
216	BRIDGEND	£5.80	281	TORFAEN	£5.50	346	WEST LANCASHIRE	£4.70
217	BROMSGROVE	£5.80	282	CEREDIGION	£5.46	347	BOLSOVER	£4.60
218	CARLISLE	£5.80	283	NEATH PORT TALBOT	£5.46	348	BURNLEY	£4.50
219	EAST KILBRIDE (x)	£5.80	284	SALFORD	£5.46	349	REDCAR & CLEVELAND	£4.50
220	FAREHAM	£5.80	285	ALLERDALE	£5.45	350	STOCKTON ON TEES	£4.50
221	FLINTSHIRE	£5.80	286	BARROW IN FURNESS	£5.40	351	OADBY & WIGSTON	£4.40
222	HAVANT	£5.80	287	CAERPHILLY	£5.40	352	PENDLE	£4.40
223	HIGHLAND (x)	£5.80	288	CLYDEBANK	£5.40	353	MIDDLESBROUGH	£4.30
224	LANCASTER	£5.80	289	DUNBARTON & VALE OF LEVEN (x)	£5.40	354	MALDON	£
225	LEICESTER	£5.80	290	ELLESMERE PORT	£5.40	355	RUTLAND	£
226	LICHFIELD	£5.80	291	MACCLESFIELD	£5.40	356	SOUTH DERBYSHIRE	£
227	NEWCASTLE-UPON-TYNE	£5.80	292	NORTHERN IRELAND	£5.40	357	SOUTH NORFOLK	£
228	NORTH LINCOLNSHIRE	£5.80	293	PERTH & KINROSS	£5.40	358	SOUTH OXFORDSHIRE	£
229	NORTH NORFOLK	£5.80	294	POWYS	£5.40	359	WEST DEVON	£
230	NORTH TYNESIDE	£5.80	295	ROTHERHAM	£5.40			
231	ORKNEY (x)	£5.80	296	THANET	£5.40			
232	REIGATE & BANSTEAD	£5.80	297	WYCHAVON	£5.40			
233	RUGBY	£5.80	298	MANSFIELD	£5.35			
234	RUTHERGLEN (x)	£5.80	299	INVERCLYDE	£5.34			
235	SOUTH RIBBLE	£5.80	300	BLABY	£5.30			
236	TRAFFORD	£5.80	301	BRADFORD	£5.30			
237	WEST SOMERSET	£5.80	302	Craven (x)	£5.30			
238	WEST SUFFOLK	£5.80	303	EAST RENFREW	£5.30			
239	WORCESTER	£5.80	304	FENLAND (x)	£5.30			
240	WYRE	£5.80	305	NORTH AYRSHIRE	£5.30			
241	YNS MON	£5.80	306	REDDITCH	£5.30			
242	CHESTERFIELD	£5.75	307	RIBBLE VALLEY	£5.30			
243	DONCASTER	£5.75	308	SOUTH KESTEVEN	£5.30			
244	NORTH EAST DERBYSHIRE	£5.75	309	SOUTH LANARKSHIRE (Clydesdale)	£5.30			
245	ANGUS	£5.70	310	ST HELENS	£5.30			
246	CANNOCK CHASE	£5.70	311	VALE ROYAL	£5.30			
247	GEDLING	£5.70	312	WIGAN	£5.30			
248	MID DEVON	£5.70	313	WYRE FOREST	£5.30			
249	MONMOUTHSHIRE	£5.70	314	AMBER VALLEY	£5.20			
250	NORTH SOMERSET	£5.70	315	BLAENAU GWENT	£5.20			
251	RENFREWSHIRE	£5.70	316	BOLTON	£5.20			
252	STIRLING (x)	£5.70	317	EAST RIDING	£5.20			
253	SWANSEA	£5.70	318	HALTON	£5.20			
254	WARRINGTON	£5.70	319	HAMILTON (x)	£5.20			
255	DUNDEE CITY	£5.66	320	KNOWSLEY	£5.20			
256	BRECKLAND	£5.60	321	RHONDDA CYNON TAFF	£5.20			
257	DENBIGHSHIRE	£5.60	322	STAFFS MOORLANDS	£5.20			
258	GOSPORT	£5.60	323	WAKEFIELD	£5.20			
259	HINCKLEY & BOSWORTH	£5.60	324	CHORLEY	£5.10			
260	LIVERPOOL	£5.60	325	CONGLETON	£5.10			

TABLE COLOUR CODE	
RISE IN 2021	
RISE IN 2020	
RISE IN 2019	
RISE IN 2018	
RISE IN 2017	
RISE IN 2016	
RISE IN 2015	
RISE IN 2014	
RISE IN 2013	
RISE IN 2012	
RISE IN 2011	
RISE IN 2010	
RISE IN 2009	
RISE IN 2008	
NO SET FARE	

The Bryan Roland Memorial  
NATIONAL HACKNEY FARES TABLE  
NOVEMBER 2021

Councils in positions 354-359 do not impose a tariff for their hackney carriages and instead the individual vehicle charges an agreed fare prior to the journey.

NATIONAL AVERAGE  
TWO MILE HACKNEY FARE  
TARIFF ONE  
IS NOW £6.06

**PLEASE NOTE**

The councils of Aylesbury Vale, Chiltern, South Bucks and Wycombe have now amalgamated to form Buckinghamshire. This has resulted in our table being reduced to 359 councils.

The councils of Daventry, Northampton and South Northamptonshire have now merged to form a new administrative council of West Northamptonshire.

The councils of Corby, East Northants, Kettering and Wellingborough have now merged to form North Northants. However the original councils still retain their individual tariffs.

Where an (x) appears by a listing, a fare update has been passed by the council, but our fare has not increased.

In the case of Cotswold where a (y) appears alongside the listing, the (y) refers to a fare update but one in which the fare has decreased for a two mile tariff.





# WORLDWIDE TAXI FOCUS

*from USA*



## NYC CABBIES PROTEST DEMANDING DEBT RELIEF FROM PURCHASE OF MEDALLIONS

New York City taxi drivers have been protesting round-the-clock outside City Hall demanding relief for the thousands of drivers who've been devastated by massive debt - accrued largely due to the artificially inflated cost of taxi medallions which permit the cabbies to drive a yellow cab.



Taxi drivers borrowed money for the medallion even though they were not eligible for loans, showed a 2019 NY Times investigation. Reporter Brian Rosenthal likened the situation to causes of the housing bubble, which burst in the global financial crisis in 2009.

Democracy Now reports that data from 2019 shows medallion owner-drivers - who are mostly immigrants - owe nearly \$500,000 on average, even though the market value for medallions has drastically collapsed.

And the loans were not the only problem. Uber and other ride-sharing apps came to the city and took custom from yellow cab drivers, which drastically decreased the market value for medallions. From more than \$1 million in 2014, the value of medallion is worth less than \$200,000 as of 2018. Drivers are also denouncing the mental health impacts triggered by the financial ruin. At least nine drivers have died by suicide.

On 20 October, a group of cabbies launched a hunger strike demanding debt relief from their taxi medallion loans.

"At this point, drivers have an average debt of \$550,000, [and] the city has basically no solution. They've come out with what's really just a cash bailout to the banks with no relief for the drivers," says Bhairavi Desai, executive director of the New York Taxi Workers Alliance.

Despite popular congressional support for a solution being put forth by the union, Desai says Mayor Bill de Blasio hasn't been willing to discuss the proposal.

Meanwhile, footage by the Taxi Workers Alliance shows protesters and taxi drivers who blocked a street outside City Hall on Monday, October 25, being handcuffed by police and being led away into a police van.

According to reports, local politicians at the protest were also detained.

## TAXI-HAILING FIRM LYFT, REVEALS 4,158 REPORTS OF SEXUAL ASSAULT

Lyft, the US taxi-hailing app, has said that 4,158 incidents of sexual assault were reported to the firm between 2017 and 2019. In its first-ever safety report, Lyft also detailed the number of motor vehicle deaths and fatal physical assaults during the period, reports BBC News.

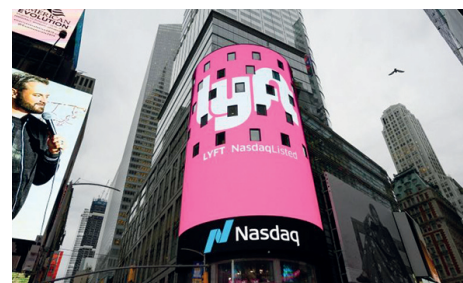
Lyft said "over 99% of trips occurred without any reported safety incident". But it said: "Behind every number, there is a person who experienced that incident. Put simply, even one of these incidents is too many. That is what drives our work to continuously improve safety for riders and drivers."

Lyft, alongside its larger US rival Uber, had pledged in 2018 to release data on serious safety incidents and abuse. The following year, Uber disclosed 5,981 reports of sexual assault involving passengers and drivers between 2017 and 2018.

Lyft has failed to publish figures until now. Of the 4,158 incidents of sexual assaults disclosed, 360 were reports of rape. Between the beginning of 2017 and the end of 2019, Lyft said it had recorded 105 motor vehicle fatalities and 10 deaths involving physical assaults.

Lyft is facing a number of US lawsuits from passengers over alleged sexual assault and the first trial is to take place in 2022. Uber is also being sued in the US over similar claims. Lyft said that 52% of reports of sexual assault were made by passengers, 38% came from drivers and the remaining 10% were made through third parties such as law enforcement.

Lyft said also said "individuals accused of committing the incidents detailed in this report will be permanently removed from the Lyft community, preventing them riding or driving in the future".



*from Italy*



## TAXI DRIVERS GO ON STRIKE WITH PROTESTS IN MAIN CITIES ACROSS ITALY

Italy's taxi drivers staged a nationwide strike on Friday 22 October, from 8am until 10pm, with difficulty experienced for those travelling to and from airports.

The strike was organised by the main unions representing taxi drivers in Italy to call on the government to regulate



ride-hailing apps and to protect the sector from unauthorised vehicle hire services, from cars and minibuses to rickshaws and golf buggies.

Taxi drivers held a large demonstration outside Italy's economy ministry in Rome, from 9am until midday, with another protest at the transport ministry from 2pm until 5pm. Taxi drivers also stopped in Milan disrupting Linate and Malpensa airports.

No runs were made unless it was to transport people in difficulty, frail, disabled or elderly. The trade unions who called the protest explained in a statement that they are "forced" to stop "to ask that the institutions carry out the reform process of the sector". The unions complain about an absence of rules and controls that further worsens the conditions of workers, who have never stopped even during the hardest phase of the Covid-19 pandemic. The statement notes that the trade unions want to "remind everyone that in order to guarantee the right to mobility of citizens, while everything in the country stopped in full pandemic, we have continued to carry out our work uninterrupted".

The statement finishes by saying that taxi drivers want to restore 'dignity' to all workers.



## from Jamaica



### 'FREE GAS' OFFERED TO VAXXED TAXI OPERATORS IN JAMAICA

The Ministry of Transport and Mining has partnered with Johnson's Petroleum and United Petroleum to provide 341 partially or fully vaccinated taxi operators with \$2,500 worth of gasoline.

Jamaica Loop reports that the initiative, launched online on 5 October, is to increase the number of public passenger vehicle operators vaccinated against the novel coronavirus. It will start on October 15 and continue for one month or until the quota is achieved.

Eligible taxi operators are those who have received the first dose of either the AstraZeneca or Pfizer vaccine or those who have received the single-dose Johnson & Johnson vaccine.

The taxi operators will have to provide proper identification to receive the gas and each taxi driver will also have to

present an up-to-date road licence or badge.

Minister of Transport and Mining, Robert Montague, said the Government is partnering with private sector entities on various projects to ensure that Jamaicans get vaccinated against COVID-19 to stem the spread of the virus and return to normality.

"We implore the operators to go out, get vaccinated and redeem the voucher to get their \$2,500 worth of gas. It is a very good initiative, and the Government and the private sector is moving to get as many persons as possible."

Meanwhile, taxi operators in the Corporate Area believe that the offer is a good initiative. According to the operators who Loop News spoke with, the offer will encourage some of them to get vaccinated.

However, some operators who spoke off camera, expressed the view that the offer could have been better, arguing like a few on camera did, that the \$2,500 offer is not enough to encourage better participation in the vaccination drive.



## from China



### TAXI DRIVER GETS HIS CAB STUCK IN WET CEMENT IN CHINA

Could this be the ultimate fail?

A bumbling taxi driver got his vehicle stuck in wet cement on a building site in Heilongjiang province, China on Monday 11 October. Several men tried in vain to pull him out with a rope. Let's hope that the meter wasn't running!!





## A QUIET NIGHT IN BY THE TELLY - NOT WITH THE WIZARD OF WISHAW ON THE GREEN BAIZE

**WINTER IS COMING!!** No, not the chilling pre-cursor to implied doom from Game of Thrones, but rather the long nights and cold days of sport in the winter months. And what can keep us warm until Spring and Cheltenham? Quite simply the prospect of a sizeable return on our investments and what better way than Snooker and the calmness but intensity of the green baize.

The first leg of the big treble starts on December 1, with the UK Championship.

And who is in better form than the Wizard of Wishaw who can cast his spell over the field.



Yes, **JOHN HIGGINS** has reinvented himself after losing probably a good stone in weight since he last appeared on TV. That weight loss has given him more energy and at a tasty 14/1, he is the headline act.

The big three of Selby, O'Sullivan and Trump make little appeal at around the 3/1 -5/1 mark and I would rather go for the consistent pressure potting and tactical nous of Higgins.

Pairing Darts with Snooker is akin to cheese and chutney and maybe we should lay down an early marker for the



World Championship in late December before any price contrition.

This is the Darts season with two majors over the next few months prior to the Worlds and, at this early stage I would pick two against the field. The big green machine is clearly not the same unstoppable force of two years ago and time is now right on **JOHNNY CLAYTON** at 9/1 to add to his glowing reputation and power on the oche. My second pick (though only for

small stakes is **DIMITRI VAN DEN BERGH** to have a stellar fortnight. On his day he is irrepressible and at 14/1 he should throw deep into the tournament.

The advised doubles (Snooker and Darts) pay 134/1 and 224/1 respectively.

We have now reached the halfway point in the race to the Superbowl and a lot of teams can now be discounted.

My belief is unshaken since last month and preference in the NFC is still The LA Rams at 8/1 and to a lesser degree, The Cowboys at 14/1 and the Buffalo Bills at 13/2 in the AFC. Keep the Bengals on your side at 33/1 (for small stakes)

This is turning into a halftime report and now is the time to place our bets on Europe's two major football competitions.

The Champions League is getting interesting with the forthcoming Man City v PSG game highly likely to decide Group Winners and an easier path to the Quarters. As a team in the last 16 cannot play a team from its own Confederation and a team they've played already in the Groups, it is more important for **PSG** to win the Group as that discounts playing Chelsea or Liverpool and for that reason and a 2-0 victory already over Man City I think the 11/2 for Messi and Co is the way forward. I have already tipped **LIVERPOOL** at 9/1 (now 7/1) and they seem to be the right price.

The Europa League picture is more mirkier as after the Group stage, the 3rd place teams in the Champions League become involved. It is not inconceivable that Barca may be in the pot! And for that reason the layers are going 12/1 the field. However that just makes the price more appetising and my two against the field at this stage are **LEICESTER CITY** at 16/1 and **BAYER LEVERKUSEN** at 25/1.



In the Foxes case, they have a squad and team not far short of top 4 class and the slow start to the season seems to have been irradiated. I certainly think they will concentrate on a path to the Champions League next season by winning the Europa and the 16/1 is a working man's price. The case for Leverkusen is less obvious except they play with an energy that is infectious and while the Europa is beneath FC Hollywood, that is not the case for the other German teams.

Until next time, Good punting

**Bernie the Book**



# AIRPORT CHARGES UPDATE

## DROP-OFF CHARGES AT UK AIRPORTS INCREASE SINCE PANDEMIC

### HEATHROW AIRPORT

As of 1 November, Heathrow Airport has joined most UK airports in imposing a drop-off charge at their terminals. A £5 charge is being introduced to protect jobs at Britain's largest airport and also reduce airport related traffic. The charge is payable each visit irrespective of the number of journeys per day and will replace Heathrow's previous plans to introduce an ultra-low emission zone and a vehicle access charge, according to their press office.

An ANPR system will be in place to alleviate congestion and this can only be paid online by midnight of the next day to avoid a healthy fine of £80.

If you have a hackney carriage which is actively licensed with London Taxi and Private Hire (TPH), you will have a 100% discount. This discount will be automatically applied to actively licensed taxis UNTIL 1st April 2022, allowing

TfL time to conduct a public consultation and for any adjustment to meter charges to be made in accordance with statutory requirements.

All OTHER hackneys must pay the £5 Terminal Drop-Off Charge.

All private hire vehicles must also pay the £5 Terminal Drop-Off Charge in the terminal drop-off zones.

It is advisable that frequent users should register a business account via <https://bit.ly/3b9VWlp>

### ELECTRIC VEHICLES

In a significant attempt to reduce our carbon footprint, some airports are allowing free and/or reduced fee drop-offs for EVs such as at: Leeds/Bradford, which allows free drop-offs for EVs for up to 60 minutes; London Luton where the cost is reduced for EVs to £1 for 30 minutes and Glasgow airport where it is free for EVs up to 10 minutes.

## CURRENT TABLE OF UK AIRPORT DROP-OFF CHARGES ...SEE HOW YOUR LOCAL AIRPORT COMPARES

AIRPORT	DROP-OFF CHARGE	AIRPORT	DROP-OFF CHARGE
ABERDEEN	£3.00	JERSEY	£0.80
BELFAST CITY (G. BEST)	FREE	LEEDS/BRADFORD	£5.00
BELFAST INT.	£1.00	L'POOL JOHN LENNON	£4.00
BIRMINGHAM INT.	£3.00	LONDON CITY	FREE
BOURNEMOUTH	£3.00	LONDON GATWICK	£5.00
BRISTOL	£4.00	LONDON HEATHROW	£5.00
CARDIFF	FREE	LONDON LUTON	£5.00
DERRY (CITY OF)	£1.00	LONDON SOUTHEND	£4.00
DONCASTER/SHEFFIELD	£4.00	LONDON STANSTED	£7.00
EAST MIDLANDS	£5.00	MANCHESTER INT.	£5.00
EDINBURGH	£4.00	NEWCASTLE	£4.00
EXETER INT.	£3.00	NEWQUAY CORNWALL	FREE
GLASGOW	£4.00	NORWICH	£3.00
GLASGOW PRESTWICK	£2.00	RONALDSWAY (IoM)	FREE
HUMBERSIDE	FREE	SOUTHAMPTON	£2.00
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- ✓ MOT
- ✓ Choice of 12

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2005 Optare Solo M850 30 Seat  
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- ✓ Wheelchair Ramp
- ✓ Direct Council

**No Reserve - Highest Bidder**

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- ✓ Direct Council

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- ✓ Direct Company

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**No Reserve - Highest Bidder**

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- ✓ MOT
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- ✓ Service History
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- ✓ MOT
- ✓ Choice 8
- ✓ Direct Company

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