

GMB PROFESSIONAL DRIVERS BRANCH

PRIVATE HIRE IN LONDON TFL CONSULTATION RESPONSE

LONDONS PHV FUTURE



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GMB Professional Driver's Branch

Our membership is made up of those who drive professionally for a living and those who also assist them.

GMB membership Includes Private Hire Drivers, Taxi (Hackney) drivers as well as delivery, ambulance drivers, vehicle valets and Parts Delivery Drivers.

We also have a number of small private hire operators within our membership.

A large proportion of our membership is self-employed.

We have a close working relationship with TFL and have been responsible for working to help create and work on the legislation in place today from work on sight and diabetes for drivers to the bus lane signs available for Private hire vehicles in London.

Our London membership is substantial and growing and is made up of Both Taxi and Private Hire drivers.

We have links with many safety groups and other trade bodies.

Our branch maintains cordial relations with many licencing authorities.

The GMB has had recent contact with most assembly members and the Mayor in relation to the needs of both Passengers and drivers in London and its environs and this submission is a clarification of our concerns and suggestions for the future of Private Hire and its role in London.

GMB and TFL

The GMB Professional Drivers branch (GMB) Attend meetings frequently with TFL on a range of issues including Compliance and Licensing.

We pass on data and information to both enforcement and ground transportation officials of TFL on a frequent basis

The TFL Private Hire Consultation

Transports for London have decided to review the regulations and standards in place for the Private Hire trade under its purview.

The following response is to questions raised by TFL in its initial consultation paper and GMB Professional drivers Branch responses to issues as we see them.

Some issues may not be directly addressable by TFL but we believe they are noteworthy enough to bring them to the publics and government's notice.

The results of this report will form part of the future planning for London's Private hire and Taxi trades.

A copy of the initial consultation paper can be found on line or via application to our Branch.

We hope that some of the suggestions and recommendations we make will help shape a safe and profitable future for all those involved in provision of Ground Transportation in the areas under TFL's influence.

Licensed Operators

Booking Records

The rules and regulations were laid down and approved in 2000 before the advent of Application Booking Technology and Online Booking systems and needs to be addressed to keep up with our ever changing world.

Firstly looking at regulation eleven when an individual books a journey the user of the App needs to use passwords only known to them to finalise the engagement.

Security for an app should have appropriate safeguards in a similar way to how we use apps to access our bank accounts or other valuable information.

A second different password or Pin should be completed when accessing the vehicle to be sure that the passenger taking the journey is the passenger who owns the account.

To counter driver fraud a finger print scan or facial recognition of the driver should take place periodically to confirm identity this should not be only at the end or beginning of shifts.

This technology exists on many modern smartphones if not the investment which is now as low as £80 for such a handset is a small price to pay for passenger safety.

Additionally Mobile Phones should be registered with operators so that in the event of fraud IMEI numbers corresponding to clients' accounts can only be used or approved.

This should be the same in the case of driver's phones to prevent passing off.

Measures such as this will ensure in gaining access to the booking account only the owner of the account or his nominees will be able

access the application or booking system which will help cut down on fraudulent transactions and will add safety to the driver and passenger alike.

Presently anybody can book via an app without the need of passwords to enter the application or software/booking system.

Many phones are stolen or information cloned which gives easy access to financial details.

If a GPS trail is available this should comprise part of any data however we speak to this aspect in the following response.

Mobile devices tracing journeys must have the facility to keep journey data should signal or battery failure occur.

A driver using a mobile device must have means to keep the device charged and available to accept and complete bookings at all times.

Preferably a separate GPS should be used for navigation purposes when necessary and located safely in the vehicle.

For all Operators a Data Protection Certificate should be required creating a further level of protection for the public.

Destination Bookings, Waypoints and Endpoints

A final destination or proposed end point needs to be specified for more accurate quotes with wherever possible waypoints and needs or be put in the application, Booking System or Online systems before the booking is confirmed.

A warning on online systems and to customers booking orally that additional costs may be incurred should there be deviations to alternative or other destinations with the vehicle.

This will alleviate payment issues with drivers who are asked to make stops by fare paying passengers who then dispute the cost.

Where a driver is making additional stops these must be conveyed to a booking centre at journeys end or via online applications during the trip as waypoints are reached.

This is especially important should shared transfers become an acceptable norm.

Whereas directed bookings occur a basic itinerary should be provided and whilst this can change generally at the point of booking a final destination is usually known.

This will assist the driver in planning the most direct route.

Currently too many app bookings are made without the input of the final destination and as such with a point A to B destination in many cases the driver has no idea where he/she is going and has to input the details into a navigation system when the customer enters the vehicle which decreases efficiency and safety.

A specific destination must be seen prior to acceptance of the booking on mobile or other electronic apparatus such as via SMS email or other modes of communication.

Where a driver is self-employed they reserve the right to decline the journey.

Prior destination entry in an electronic medium or on booking at a operator centre will increase the safety of the driver and passenger as final destination will be on record.

This must be mandatory.

A quote prior to the transfer should be provided based on information provided at the time of booking with the strict proviso that should the requested transfer change that the rate will of course be subject to change.

However a clear explanation of waiting and ancillary such as parking costs should be confirmed at the time of booking.

Drivers should give a company card with their driver number upon completion of any transfer to assist with lost property or any issues relating to the journey should a text message have been sent this would not be a requirement.

Operator Trading and Business names

The need to allow names unrelated to the business or district seem impractical or unacceptable at initial sight however free trade becomes an issue.

An operator who provides daily transfers to Manchester from London may wish to use this as part of a trading or website name.

However where individuals who are unconnected to a business names are used this infers an endorsement that is clearly misleading.

Just as using a religious connection to infer probity and honesty would be inappropriate.

Companies trying to use similar names to infer they are the same as an established operator e.g. We alerted Addison Lee to a company calling themselves Addison Leigh.

Passing off such as this is clearly underhand.

I came to try to find out who they were when my driver did not show up there were many Companies with the same name.'

A simple solution initially will be for all literature, Websites and Media would have to state the company name and licence number and Licensed Borough.

Additionally Small operators would have to confirm on Literature, Media and Websites that they can only take booking for up to the permitted number of vehicles.

Additionally companies frequently claim to be in locations that are not the same as the physical office location for internet search engine this need to be addressed.

At present a company can claim to be Heathrow based on google but in reality be based in as an example Harrow the end result is confusion and safety issues.

Level of Business Names

The need to show all names that are owned or used by an operator are necessity.

If an operator has multiple websites there is a definitive need to be able to list all sites to confirm that the operator is bona fide.

Should it be more practical an online register of subsidiary names held by operators should be easily accessible to the public.

This register would also consist of a website register for the licensees.

The object of this would be to confirm the operator is linked to business.

All websites must have an operating centre address and tfl Operator licence number.

Complaints

All operator complaints need or be investigated by Tfl if the client is not satisfied with the operators investigation.

Operators should provide details of complaints and outcomes to TFL.

If a pattern of complaints occur on a regular basis TFL needs to look into as to why the particular operator has repeat problems which in essence they are not addressing correctly

TFL should investigate or discuss complaints within a fixed period of notification.

Complaints should be audited by TFL to create a level of excellence for private hire operators.

Simon Rush GMB Professional Drivers Branch President — Drivers often complain that operators mistreat them or ignore issues then terminate them when questioned over their practices.

GMB Drivers Branch believe that operators and their staff act irresponsibly or maliciously towards drivers that a complaints procedure should be in place with TFL this will improve driver retention in companies who work harder to stop driver loss and also the attitude of some operators our way or the highway attitude.

On both basis TFL should have a specific complaints team to deal with issues from Drivers failure to Operators malfeasance.

A direct contact database for complaints to the operator should be on TFLs website or by telephone so that the public can contact a specific individual or complaints team directly.

Preservation of bookings, driver and vehicle records

The following must be kept for 12 Months to stop confusion and create a simple structure.

Complaints
Lost property
Driver Records
Vehicle records
Transfers and Cancelled bookings.

Drivers themselves need to inform TFL of the operators they work for regardless of the number of operators they take work from.

Additionally drivers should register vehicles they are working with to create a clear picture of who is and is not working as well as

Drivers Data will assist TFL in enforcement and much like Television License's will make it easier to trace and cross reference drivers.

A private hire Vehicle should be registered as such on the v5 (Log Book.) and at point of sale or change of use the owner of the vehicle needs to be legally obliged to change the status of the vehicle and the new owner needs to confirm if the vehicle is to be used as phi via a new vehicle license. This will cut down on illegal touting activity and congestion charging avoidance.

Simon Rush GMB Professional Drivers Branch President — Enforcement laws need to be changed to allow those suspected of touting where there is no definitive to be warned or receive a PCN. Habitual Offenders must be prosecuted.

Those clustering should be arrested and charged with touting.

In Venue Operators

We need or keep operators within clubs and when the customer has booked inside the venue the customer has to be given the registration number of the vehicle and escorted to the correct vehicle especially if they are drunk or the worse for ware and especially if the customer is a lone female.

An option of a licensed black taxi should be offered to all individuals who are choosing to book a transfer.

A rolling rank should be discouraged.

Where space is at a premium line of sight may be practical when attempting to eliminate tout activity.

Where drivers are found to be offering procurement of sexual services a minimum tariff of 12 Points and placement on the sex offenders register should be mandatory.

The prospective client has to ask for a vehicle inside the venue and any operator staff approaching prospective customers outside the venue should be considered touting and should after warnings to the operator should mean loss of operator license including the main operators trading address if this is different or the satellite office.

Where space is limited at a venue a Booking zone should be available as it is widely known that often potential passengers have already left premises when they realise they need a transfer.

Many will not return in or will not be allowed re admittance by venue staff.

This often leaves them at the mercy of illegal touts operating in the vicinity.

We also believe that it should be an offence for staff working for a venue to procure or provide Private Hire cars and to receive pecuniary gifts from drivers for such provision.

This issue goes beyond Night Clubs and needs similar provision for hotels as an example Concierges and Restaurants.

In many cases it is the venues responsibility to provision a service and this should not be a profit centre.

Vehicles at venues should show some identification to confirm they are venue based and not outside drivers to aid safety to those booking and to enable enforcement to be sure that parking, noise and engines running whilst standing regulations are obeyed.

If a satellite office or an in venue office is allowed, provision for a taxi rank must be made available, for passengers wishing to make their onward travel, via taxi.

Ride Sharing.

The context of this question is unclear and we have answered accordingly however this will require clarification by TFL.

A further response to Unsilenced ride shares has been discussed in the general section of this submission.

We feel ride sharing is dangerous to Drivers and Passengers as strangers together could lead to arguments over politics, football, race etc.

There is no protection to drivers in these instances.

It could also mean a passenger knows the home address of the ride share or that a property is empty or in worst incident increased chance of sexual assault a female alone with perhaps a partner meeting an unknown individual or individuals is open to attack.

If the driver is unable to assist in such an instance more serious ramifications would exist.

Ride share also puts needed extra responsibility on the driver should a problem or disagreement occur.

A passenger disagreement over as example who should be dropped first could become a serious altercation causing injury and probable damage to the vehicle carrying out the transfer.

Even at busy train stations on public hirer ranks as customers would rather wait in the rain then share a taxi.

Ride share should not even be considered due to the many shortfalls that could occur with drivers losing out as a result.

Arguments could also happen if one client needs to change destination which then puts out the other customer or it may create extra pressure for the driver who has to make the decision on what to do to satisfy both customers,

The provision of ridesharing may be seen as improving fares for those sharing but in view of the already low fares on offer to the public this only is at the expense of the driver.

Drivers cannot be put in a position of arbitrating between passengers. There is a danger to drivers should a dispute break out between passengers.

Ride share does not work as a credible or safe facility unless strict guidelines are followed and consent, fares and dispatchers use consideration when considering this as an option.

Temporary Events Licenses.

Temporary operator licensed events need to continue but the temporary license needs to expire at the end of the event period not continue as the operator could in effect. If a regular venue have drivers routing outside said venue.

A separate bay for Taxi needs to be in place and this would give the choice to those leaving the event.

Where drivers are specific to an event they will need to have further proof that they are under the operator providing cover to deter interlopers and illegal plying and touting.

Journeys would have to be booked in advance of transfers to confirm specific destinations.

Licensed operators would have to demonstrate that they have infrastructure to handle the event and would need to use accredited staff that have passed DBS checks to marshal vehicles.

Preferably vehicles would need to be booked in advance of departure.

Emergency Taxi Bays must be provided at temporary events.

Operator Details must be displayed prominently with the operator licence number.

Provision of information by the operator to the passenger prior to the commencement of the journey.

In today's modern world with the majority of the traveling public carrying a mobile phone all operators should provide passengers where possible with their booked vehicle VRM and the full name of the driver before the booking is carried out.

Where Third parties are booking on behalf of Passengers such as Hotels, Agents and business colleagues a telephone number or email address should be procured to assist in this process.

Individuals who may be travelling to the UK may not have phone service but carry devices capable of receiving messages.

Where possible a current picture of the driver should be made available to assist in recognition.

We recommend that drivers found using passenger information received for journeys for a nefarious purpose such as passing their details to procure uninsured journeys or for more sinister purposes should where operators or authorities learn of this be considered for revocation of license and prosecution for breaching Data Protection and licensing regulations.

Data provided should be:

Drivers Name, Vehicle Registration Operator they are licensed with and who has subcontracted the journey where another operator is fulfilling the transfer.

Potentially a further safety element could be added for those picking up at busy venues or locations.

A unique password for the passenger to confirm the legitimacy of the driver presenting themselves should be available to ease collection and verify the driver saving the chance of the passenger travelling with a tout.

Notification of convictions / cautions of individuals working for private hire operators such as controllers / despatchers / others

Anybody who works within a private hire operating business needs or be DBS Checked offices have contact with members of the public and will have access to confidential data of all individuals booking and working within the business.

This will further enforce the duty of care to the Public in addition for the need to hold a Data Protection Certificate.

PCI DSS Certificates should be available to inspectors for all those who have access to financial data such as credit cards or passenger information.

Where bankruptcy, county court judgements are in place against individuals involved in administration, management or allocation of work, funds or driver administration should provide this to tfl upon application.

This information should be updated to TFL should a change take place.

The reasoning behind this is in some cases individuals may divert funds to cover debt.

Additionally it is known in some circumstance's drivers are approached to give commissions for higher quality journeys from those who pass out the work.

Additionally those who take deposits for driver equipment or insurance deposits may choose to malign the funds and further in to our response we will make a request to solve this issue.

The types of premises that constitute a suitable operating centre.

With the exception of premise's used for temporary events we believe there needs to be some strict elements to what constitutes an operating centre.

Clearly where residences are used for operating centres very little access is required by the public and the need for Public Liability cover seems unnecessary.

Providing there is appropriate Household insurance this should be more than appropriate.

Turning to publicly accessible premises access should be available 24/7 unless the operator concerned can confirm that no bookings electronic or otherwise are received and acted upon outside those hours.

If services offices are offered a as a location a rental agreement for the duration of the license should be in place.

Where this is not possible then a license should not be granted due to the significant risk of failing to maintain the premises as an operating centre.

Forfeiture of licenses should become an automatic event where a centre address changes without notification to TFL

Drivers who comprise part of the Operator License should face similar forfeiture as this proves they have chosen to ignore regulations and are not fit or proper to hold a license.

Seizure of any websites connected to the business with appropriate wording to confirm revocation of license and seizure to stop any further bookings taking place.

Where operating centres are in shared retail or office premises clear signage must be in place to identify the operator.

Records in these instances must be out of public view and no access to office equipment should be available to third parties.

A list with photographs of those approved to work in the centre should be in place (Similar to MOT testing Stations.)

Notification of changes to operating models.

All operators should be obliged or notify TFL of any changes to their operating model online and if needed TFL before approving should visit the operator's office.

Operators should notify TFL online when they take on new drivers and when drivers leave as drivers should be required to do so as already suggested in this document.

TFL need to have on record where a licensed driver operates from and up to date personnel address details which in some cases change regularly.

We propose a change at this point to operator license sizes to correspond with this section.

We suggest:

Small Operator: Up to 3 Cars in use at any time with strong penalties for those who ignore this.

No allowance for bookings via telephone whilst away from the base. This should be checked or tested on spot check basis via TFL.

Small Operator Plus: Up to 100 Cars available at any time with no option to swop out or change between established drivers.

Medium Operator Up to 500 cars.

Large Operator Up to 1000 Cars

Large Plus up to 5000 Cars

Super 5000+ Cars

The reason behind this is simple Larger operators require more time for compliance.

Smaller operators are subsidising larger operators where the work levels for compliance are considerably smaller.

Changes in booking software or methodology of booking procedure must be conveyed to be sure all guidelines are met.

We believe that a simple solution would be clearer indications to operators who their liaison is at TFL and provide the operator with a secure login to check and update data as required within this interface would be appropriate contacts for the purpose of interaction when queries arise.

Above all a fast track system must be in place when operators change Directors or as an Example from a Partnership to a Limited company to enable seamless business transitions.

Private hire drivers

All drivers need to pass an oral topographical test to ensure English is fluent and multiple choice questions need to be dropped in favor of rolling questions.

An oral exam by an independent examiner must take place.

The test to gain the driver's license should be run via a test centre run by TFL as there have been too many instances of drivers gaining a license through fraud or help via a mobile phone connection.

There are companies offering guarantees of a private hire license for inflated sums of money. This has to stop.

Driving tests should be carried out to ensure the driving ability and safety of passengers, likewise a temperament test similar to the public hirer trade.

London is one of the weakest in drivers gaining a private hire license in the country and urgently needs addressing.

Seeing that a driver knows the compass points and can hold a map the right way up is not good enough.

We are seen too many instances of drivers driving down one way streets oblivious to road signs and it's only a matter of time before a serious RTA occurs.

A cap on annual numbers is a must. There are currently 80000 licensed drivers increasing almost at a daily rate. This on turn is forcing fares down and creating unprofessional-am and increased touting.

Asylum seekers and Individuals who cannot give a full Criminal History should not be able to obtain a license until their good character is established after a period of 4 years when a DBS check can be completed on at least this term.

We agree training to gain a license should include basic private hire legislation, needs of all passengers, network development and new developments within the industry.

Testing needs to include a facility to hold a conversation on any subject chosen by the invigilator for a period of two to Three minutes.

The basic need for direct knowledge of Airports Stations and Major towns should be part of any criteria for a pass.

At this stage we believe all licensed drivers should prior to renewal of their PHV license be tested for linguistic ability and driving ability.

Preferably A NVQ or City and Guilds test needs to be in place.

This will ensure high standards are met.

The basic outline of any course or training should be:

Customer Service provision.

Health and Safety and First Aid

Knowledge of Roadways and Routes including National Destinations

Legal requirements for drivers

Basic Business Skills for those who are self Employed including Tax Matters.

Understanding those with Disability and How to Assist them best.

How to attend to Venerable individuals and their needs including how to protect them.

Attention to driver deportment and Hygiene including Attire.

We are keen to reinforce the need for TFL to undertake final testing and licensing of drivers rather than centres.

We strongly discourage online and distance learning which could be subverted by third parties and obfuscated by those who are intending to apply for licenses.

Additionally when examinations are undertaken we believe that all mobile phones should be left at a secure area along with any listening devices and were applicable media spectacles (EG Google Glasses.)

We have been advised that electronic devices have been used at licensing authorities for attempts to pass topographic tests.

Clear training to understand, empathise and assist those with disabilities should be part of any training.

Above all a high level of English proficiency is a must.

Private Hire Vehicles

We believe that to protect all parties' drivers should have adequate private hire insurance in place on licensed vehicles at all times.

The Policy in our view should be fully comprehensive to provide all parties with adequate protection.

When testing is undertaken proof of a Private Hire and Reward Policy must be in place for licensing purposes.

Should a fleet Policy be in place as a private Hire operator then an original letter must be in place to prove the policy is bona fide.

We believe that watermarking needs to be included on policy documents to prove they are legitimate and if possible with a Holographic label as these cost under 2.5 Pence per label.

This is a small price for insurers to pay to prove their product is legitimate and fit for purpose.

Where a vehicle is part of a fleet policy the driver paying towards insurance must be indemnified to an acceptable maximum excess and operators would have to display the costs to all drivers.

An Insurance database that can confirm a policy is in place should be available to operators to confirm cover is maintained.

There should be a smaller Insurance schedule available to place in the front windscreen similar to those used in the Republic of Ireland to confirm insurance provision for the vehicle.

This would enable enforcement officials to confirm the vehicles validity and right to be licensed.

We believe this is an appropriate section to reinforce our views on PHV plates.

The suggested P system in practice allows anyone to drive a vehicle with a Designated and Licensed Plate.

We would prefer to see a red P to confirm the vehicle is licensed.

To confirm it is available as a Private Hire Vehicle drivers would be issued with a corresponding set of Blue P's with an Aperture to allow the vehicle license date to be seen.

The Blue P would have a Near Field Chip too so that scanning by an enforcement officer or member of the public can confirm the legitimacy of the driver.

The purpose of having a red P is twofold.

Firstly Drivers could not rent a vehicle and then use it as a PHV without proving their personal license to work for Hire and Reward.

Secondly a Red P would clearly inform anyone looking that the vehicle was not legally entitled to offer hire and Reward Service.

A representation is below of how these may appear.

An optional EU tag could be made available when the vehicle is in private use.

An image of the propose plate style is overleaf.

Please note the text on the image is to denote these could be used for Taxi plates too and normal DVLC numbering e.g.: MP 16 TFL Would still be applicable.



A Simple 4/5 digit combination lock can be included within the plate assembly to secure any tag.

This would also solve the problem of congestion charge avoidance when the vehicle is not being legitimately used for Hire and Reward.

NFC is a cheap way of being able to scan and obtain information about the car and with a blue drivers tag the driver too passengers would be in a position to check the legitimacy of the driver and vehicle

Proposals for integration of private hire strands.

We believe that private hire operators should upload driver and vehicle details to a TFL database.

The details should include all vehicles a driver can have access to on fleets that have varying types.

As an example an operator such as Tristar frequently require drivers to change vehicles based on job type in this case to negate the need to keep uploading driver data for particular vehicles all drivers should be paired to all fleet vehicles.

However where an replacement vehicle is loaned to a driver as an example by an insurer or car dealer then they should also upload details to tfl as well as the operator to confirm their knowledge of use as a hire and reward vehicle.

Regardless new data and changes should be entered on to the database immediately.

We see no reason why this should become labour intensive as entering in to the data base and adding a TFL Vehicle License Number (S), Driver Number and Operator Number should be simple.

Where there is access to multiple vehicles a simple select all option could be available or an upload of vehicles to a database on a bulk basis.

Drivers who are not linked to an operator should be questioned by tfl if they do not match to either database and be asked to prove they are off the road.

Many operators have a very high churn and this will enable TFL to liaise with the tax office and benefit department on drivers benefit claiming in for eg tax credits.

This will also negate the need for operators to hold documentation beyond license numbers as the database already would exist at TFL.

Continued Fitness of Vehicle.

Where a driver is linked only to one vehicle and they have had their personal license revoked and there is a distinct possibility they may use the vehicle it stands to reason the license should be revoked unless they can demonstrate the vehicle will be used by another with an appropriate hire and reward policy and TFL Driver's License.

However we believe that fitness to offer vehicles should also be a condition of leasing and rental companies who offer TFL licensed vehicles and that a special license should be in place.

Kevin Clark GMB Professional Drivers Branch Member — I had to go through Three TFL licensed cars before I found a safe one at the rental agency.

Issues included bald tires and failed lights as well as other items of questionability.

There are frequent occasions where not fit for purpose vehicles are offered to drivers.

TFL should be able to visit companies offering vehicles and spot check them revoking licenses where the car does not meet regulations.

Private Hire License Application Requirements.

Operators

The following increased requirements for operators:

Operators should be obliged to inform police immediately of suspected criminal activity where they are concerned about a vulnerability of the driver or other parties.

A register of all assaults and non payments to drivers should be kept by operators just as a health and safety book is kept.

A Full time phone number with proof of phone bills should be in place. Operators should be available 24/7 to accept calls an emergency mobile number is not acceptable as this may lead to offices avoiding obligations.

Operators to have a deposit protection scheme in place to cover Data Head or radio Deposits, Insurance deposits and any other expense incumbent upon a driver.

When accepting a drivers insurance an Operator must validate the policy is legitimate with the Broker or insurance carrier.

Offices must have Fire Equipment, Health and Safety Signage, Potable water and proof of staff contracts in place.

This will offer the protection that drivers sorely need from operators who fail to return funds, use funds for other purposes or cease trading owing drivers the funds.

A robust complaints system against operators for drivers with a clause to not be able to disenfranchise drivers who complain.

DVLA Paper documents to be no longer required instead for compliance a note of points to be kept on a sheet and a date of the last check of license made by the operator.

Removal of the right for drivers to use bookings for private clients with an operator's license.

Some drivers routinely book 'Private' Work with operators in this case where discovered the operators and driver's licenses should be revoked.

There is no occasion where this is acceptable or safe.

Vehicles

Advertising on rental vehicles to be removed or the vehicle license on the vehicle in question should be revoked.

We constantly witness vehicle rental companies advertising themselves on private hire vehicles this should not be allowed as it can be confusing and unsafe for passengers.

We believe that Insurance documents should have a counterpart that appears in the front window similar to the size of those in the Republic of Ireland to confirm the vehicle is covered.

Vehicles should have a fire extinguisher and first aid kit as well as a high visibility vests suitable for all occupants up to the licensed level.

Drivers

TFL must set a limit of how many licenses are allowed at any one time.

It is our opinion that rates will continue to be forced down and drivers will work excessive hours to try to make an income.

Drivers where accepting payment from operators must offer a UK bank account to receive payments.

Driver caps could be reviewed on an annual basis but would create

value in being a license holder once again which might improve income / standards and would help to support the dire situation black cabs are also facing.

All Licensees will need to be retested to confirm linguistic skills and topographic skills regardless of duration of their license.

Limit should be a goal to be achieved within a set period (2 years?) and should be achieved through natural wastage and non-issuance of new licenses.

Current licenses should only be renewed if the holder can confirm he has a permanent address, is an EU citizen, speaks English with a high level of proficiency and is currently working.

We believe that TFL must assist in Lobbying for doctor's fees to be standardised for those applying for medical reports for their applications.

Additionally annual medicals should be refunded by TFL as this is an unfair extra charge.

Applications need clearer sections with regard to optical tests.

Cheque and Postal Order Payments

TFL needs to continue to take payment via cheques or postal order while there is still a minority of drivers in a position of not having access of other methods of payment.

We would add that by 2018 the cheque facility offered by banks will be phased out therefore with less than Two and A Half Years to run as this is not a prolonged period to wait.

Many individuals are concerned about using bank accounts and cards due to data breaches on this basis the safety of Postal Orders is appealing to some.

General

There and Then bookings need to be outlawed for Private hire.

Individuals who are approached by a driver offer a then and there booking or suspect a driver of strategising to offer a then and There booking should where possible be encouraged to try to obtain evidence against the individual concerned providing it is safe to do so.

Only Taxis should be hired on a Then and there basis.

Individuals who accept then and there private hire drivers must understand that not only is the driver uninsured for the purposes of the journey but they could be vulnerable to attack and substantial harm.

Touting and clustering: Where drivers stand at a venue or location unless they can demonstrate they have a pre-booking they should be moved on or an exclusion zone be created.

Should a driver be found to have returned to the same location without a pre-booking they will immediately become liable to license revocation and where no license exists of endorsement to 12 Penalty Points.

In these cases Vehicles should be seized as they become proceeds of crime.

Minimum fares and E Hailing.

We believe there should be a minimum fare both in London and Nationally.

For Apps the minimum fare should be £10.00 this would prevent drivers from under earning especially those self-employed drivers.

We need to be seen as professional and well trained with a minimum fare introduced and a separate E hailing minimum with a 15 Minute break before an e hail passenger is collected.

Cars should not be viewable until a booking has been made they can then be viewed and tracked as they respond to the booking.

Peddy Cabs Cycles and Novelty Vehicles.

No Bicycle or peddy cab or Novelty services should be available within the London environs and those who offer such as service should be prosecuted for plying for hire.

Bicycles, Peddy cabs or Novelty Vehicles operating in London ignoring the above should face arrest and seizure of their vehicles for obstruction.

Operators Trading Addresses

Operators who claim a false address on internet search engines and directories or applications should face revocation of their licenses.

TFI must work with search engines and directories to offer a cross check that confirms the legitimacy of an address so the public are kept safe.

Operators based outside London claiming to be a London operator should be reported to their licensing authority as clearly they are misleading the public and are not fit to trade.

Insurance

A basic version of the Insurance database should be available to all operators.

This will assist in confirming the legitimacy of the insurance provided for the purpose of Hire and Reward.

Car Sharing Apps.

There are now a selection of applications and Websites which will allow private individuals to offer their car as a shared ride without DBS or other checks.

We believe this is fundamentally unsafe and leaves individuals vulnerable to assault, burglary and other criminality

We would urge TFL to license these applications and websites and carry out the same checks on those offering private vehicles for gain.

We believe there is financial gain as a private journey undertaken by one's self is supplemented by a stranger then sharing the vehicle. This leaves the driver in a better financial position than they would have been should they have travelled alone or with family members.

By allowing access to a database of individuals to share this creates a pecuniary advantage.

Automation and Booking Systems

Proof that all ebookings and subsequent driver dispatch for companies are received on UK servers and not virtual servers.

Payment for services rendered must be conducted and accepted by a UK clearing Bank or facility to enable appropriate taxes to be paid and PCI DSS guidelines to be followed and enforced.

Turning to existing planning regulations we see no value in residential dwellings seeking approval as town and country planning does not enforce a mandatory requirement.

Furthermore the expense and delay in seeking such permission is unnecessary bureaucracy when clearly individual using their residence for business in other industries, trades or disciplines do not face the same requirement.

Most Importantly we request that the following regulation with this or similar phraseology is included in any changes.:

Any automated conveyance used for hire and reward or shared journeys is attended physically by a Licensed driver / operator at all times rather than virtually from a remote location, be the remote location within the United Kingdom or overseas.

No Control scheduling or otherwise should enable the conveyance to be driven at any time without an attendant.

Self-Propelling or Automated Vehicles should only be licensed if the individual or company offering the service can prove that they meet this criteria and the vehicle will not be used when unattended for paying customers or those offered unpaid journeys by way of obfuscation of the regulations.

As soon as is possible enforcement and compliance officers need stronger powers to enforce regulations.

We would also ask that TFL lobby for training to be reinstated at Hendon Police College in relation to Taxi and Private Hire Law.

Police knowledge would help reduce criminality attributed to the profession.

Due to inaction over flagrant breaches of the rules and regulations set down by TFL we believe an oversight committee or ombudsman should be in place or an industry ombudsman (much like the appeals adjudicator for parking tickets).

This should be wholly independent.

Conclusion

Whilst the TFL licensing area is a unique entity we believe that in many cases legislation and guidelines shaped and undertaken become the standard that other licensing authorities consider when setting their policies.

London is somewhat behind and to be in the vanguard for the future only with fundamental changes can the TFL Licensing area regain its preeminent position.

A strong accessible Taxi and Private Hire Directorate is required however it must be more transparent.

Set dates must be set for forums with operators, drivers, trade organisations and interested third parties.

Without interaction and on going dialogue there will continue to be a

mistrust of the directorate and its operations by the grass roots of both private hire and Taxi.

We would recommend that on at least one occasion a year the incumbent mayor holds a joint forum with all parties to grasp and assist in solving the issues the trades have.

We hope our recommendations and requests are implemented without reservation or our points raised can change thinking for the future.

Questions in relation to our response can be directed to:

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