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30 April 2015

Dear *Caroline*

I write further to your letter of 8 April 2015.

I agree that TfL as regulator should take all possible steps to ensure that any licensee is compliant with applicable legislation, in this case the Private Hire Vehicles (London) Act 1998, whatever their operating model may be. As I have said previously, we consider that Uber London Limited is compliant with private hire legislation but this is something that we keep under review, as we do in relation to all licensed operators. If complaints are made to TfL that Uber drivers, or any other private hire drivers, are acting unlawfully including as you suggest in your letter, swift and appropriate enforcement action will be taken.

TfL did not obtain specific legal advice at the time of Uber's original licensing application. That is not to say that compliance of their operating model with private hire legislation was not considered at that time. It was, as it is in relation to every application for an operator's licence, and the conclusion reached was that their proposed model was lawful.

TfL has subsequently taken specific legal advice about Uber's operational model as a result of a number of complaints having been made last year. TfL has been completely open and transparent about the advice that it has received.

TfL responded in detail to the various correspondence that we have received about the legality of Uber's operating model and we explained our views at length to all concerned including in various meetings with the relevant trade organisations.

TfL also invited representatives of the LTDA to attend a meeting on 20 May 2014 with TfL officers at which Martin Chamberlain QC explained his view of the legal position in relation to Uber's operational model.

The advice we have received confirms TfL's original licensing decision that Uber are operating lawfully in accordance with private hire legislation. There are no minutes of meetings with Counsel and there is no transcript. As I have said before, the advice was given orally in conference.

I specifically set out in my letter of 10 March 2015 the substance of the legal advice received in relation to the taximeter issue in more detail because, as you rightly point out, it was not contained in the decision note attached to my letter. As I said in my previous letter, because this is not a clear cut issue, we have now made an application to the High Court inviting it to issue a declaration as to how the law should be applied and we are hopeful that this will be considered shortly.

Uber London's operating licence was granted on 31 May 2012 for a five year period. As with all licensed operators they are subject to a number of ongoing obligations which can be found in the Private Hire Operator Licensing Guidance Notes which you refer to in your letter and which can be found on our website: <http://www.tfl.gov.uk/info-for/taxis-and-private-hire/become-a-private-hire-licensee/private-hire-operator-licence>.

Yours sincerely,



**Sir Peter Hendy CBE**