

COMMITTEE REF:

T&PHLP/08/20



NOTICE OF MEETING

COMMITTEE : Taxi and Private Hire Licensing Panel (31)

DATE : Friday 7 August 2020

TIME : 10.00 a.m.

PLACE : Virtual Meeting Via *Skype

COUNCILLORS : Mead
Petts
Rivers

QUORUM : 3 Members

CONTACT OFFICER: Eunice Lewis

Tel: 01582 547149

e-mail: Eunice.lewis@luton.gov.uk

[Join Skype Meeting](#)

INFORMATION FOR THE PUBLIC

PURPOSE: The Panel is responsible for the Council's Licensing function and as such considers and decides upon, amongst others, applications for Hackney Carriage and Private Hire vehicle, driver and operators' licences, the licensing of Sex Establishments and for the grant of Street Trading Consents. It also considers reviews of applications for the registration of venue for Civil Marriages.

***SKYPE:** During the Covid 19 emergency period, this meeting will take place virtually, via Skype. To access the meeting, please click on the link to the meeting above.

AGENDA

<i>Agenda Item</i>	<i>Subject</i>	<i>Para No.</i>	<i>Page No.</i>
1.	ELECTION OF CHAIR		
2.	MINUTES		6 - 9
	1. Minutes - 31 January 2020		
3.	DISCLOSURES OF INTERESTS		
	Members are reminded that they must disclose both the existence and the nature of any personal interest that they have in any matter to be considered at this meeting.		
	A Member with a personal interest in any matter to be considered at this meeting will also have a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest. A Member who has a prejudicial interest must withdraw from the meeting room unless (s)he has obtained a dispensation from the Council's Standards Committee.		
4.	URGENT BUSINESS		
	The Chair to report on any business which is considered to be urgent and which should be discussed at the meeting in accordance with Section 100B(4)(b) of the Local Government Act 1972 and to determine when, during the meeting, any such business should be discussed.		
SERVICE ISSUES			
5	Application for Grant of Private Hire Operators Licence with Exemptions – Swiftli Ltd (Report of the Strategic Regulatory Manager – Operational Compliance)		10 - 28
6.	LOCAL GOVERNMENT ACT 1972, PART VA		
	To consider whether to pass a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting during consideration of the item(s) listed below as it is likely that if members of the public were present during those items there would be disclosure to them of exempt information falling within Paragraphs 1, 2 or 3 of Part 1 of Schedule 12A to the Local Government Act 1972.		
	Note: The procedure for oral hearings and Chair's Virtual meeting Protocol is attached to the Agenda Pages		3 & 5

LUTON COUNCIL

PROCEDURE AT ORAL HEARINGS BEFORE THE COUNCIL'S TAXI AND PRIVATE HIRE LICENSING PANEL

1. The Democracy and Scrutiny Officer will conduct the process to elect a Chair for the Panel at the start of the meeting (unless a Chair for this Panel has previously been elected).
2. The Chair will lead the introductions of all parties present.
3. The Panel will be assisted on matters of law and procedure by the Council's Solicitor sitting as Clerk to the Panel.
4. The Clerk will explain the procedure to be followed at the meeting, as set out below.
5. The hearing will normally be in public. However, where the subject matter of the hearing is likely to involve consideration of an applicant's personal circumstances, the Panel will need to pass a resolution under Section 110A of the Local Government Act, 1972, to exclude the press and the public and proceed in private.
6. Where the hearing is conducted in private, the Panel may further exclude the applicant, their representatives and the Licensing Officers prior to their deliberation, where it considers that the public interest in doing so outweighs the public interest in the hearing taking place in public.
7. The Licensing Officer will present the report.
8. The Applicant may question the Licensing Officer.
9. The Panel may question the Licensing Officer.
10. The Licensing Officer may call any witnesses(es).
11. The Applicant may question any witness(es) called by the Licensing Officer.
12. The Panel may question any witness(es) called by the Licensing Officer.
13. The Licensing Officer may ask further questions of any witness in order to clarify any points brought out in questioning of the witness by the Applicant or the Panel.
14. The Applicant will present his/her case.
15. The Licensing Officer may question the Applicant.
16. The Panel may question the Applicant.

17. The Applicant may call any witness(es).
18. The Licensing Officer may question any witness called by the Applicant.
19. The Panel may question any witness(es) called by the Applicant.
20. The Applicant may ask further questions of any witness(es) in order to clarify any points brought out in questioning of the witness(es) by the Licensing Officer or Panel.
21. Any official interested parties, if present or represented, may make representations relating to the application.
22. The Licensing Officer and the Applicant (in that order) may question any official interested parties making representation.
23. The Panel may question any official interested parties making representation.
24. The Applicant will sum up his/her case.
25. The Clerk will then advise the Panel on any legal points, if any, before the Application is determined.
26. The Applicant will be asked whether there is anything further he/she wishes to say.
27. Before deliberating, the Panel will consider whether to pass a resolution under Section 110A of the Local Government Act, 1972 to exclude all parties, except the Clerk and the note taker from the meeting. In so doing, the Panel will briefly discuss and apply the test of whether the public interest of holding their deliberations in private outweighs the public interest in holding their deliberations in public.
28. Any advice given by the Clerk to the Panel during their deliberations in private will be repeated when all parties are allowed to return to the meeting and before the Panel announces their decision.
29. The Clerk will by letter, inform the Applicant, the Licensing Officer, any official representative present at the meeting and any Objector of the Panel's decision within 7 days.

Chair's Virtual meeting Protocol

Chair: Introduction and Welcome; (Read Out Below)

On arrival, all participants should:

- mute their microphones and remain muted except when speaking
- open the conversation window by clicking on the 'speech bubble'
- open the participants window by clicking on the 'people' bubble, if they wish to see who is present

During the meeting, all participants should:

- put their personal mobile phones on silent when speaking
- resist using emoji's or holding private conversations in the conversation window
- be mindful that the public and press might be present and may view all dialogue in the conversation window

If any member of the public is disruptive, the Democracy & Scrutiny Officer will, on the Chair's instructions, remove them from the meeting.

TAXI & PRIVATE HIRE LICENSING PANEL (24)

31 January 2020 at 10.00 am

PRESENT: Councillors Rivers, Petts and G. R. Javed

OFFICERS: Brenden Delaney - Solicitor and Clerk to the Panel
Saffron Long – Licensing Officer
Holly Mernagh – Senior Licensing Officer
Ra’ana Riyaz – Trainee Democracy & Scrutiny Officer
Bert Siong - Democracy & Scrutiny Officer

1. ELECTION OF CHAIR (REF 1)

Resolved: That Councillor Rivers be elected Chair of the Taxi and Private Hire Licensing Panel No. 24.

2. MINUTES (REF 2.1)

Resolved: That the Minutes of the meeting of the Panel held on 14th June 2019 be taken as read, approved as a correct record and the Chair be authorised to sign them.

3. DISCLOSURES OF INTEREST (REF 3)

Councillor G. R. Javed declared a personal interest regarding Agenda Item 5, as he was in the taxi trade, but he did not feel it was prejudicial, as he did not operate in Luton. The applicant’s representatives were consulted and had no objections for Councillor G. R. Javed continuing as a member of the Panel

Resolved: That Councillor G. R. Javed's personal interest be noted, given it was non-prejudicial, due to his involvement in the taxi trade being outside of Luton and he be allowed to continue to sit on the Panel.

4. APPLICATION FOR GRANT OF OPERATOR’S LICENCE WITH EXEMPTIONS – OLA UK PRIVATE LTD (REF 5)

PRESENT:

APPLICANT REPRESENTATIVES: Fionn Hart and Karl Lutzow

Following introductions by all those present, the Clerk to the Panel explained the procedure at oral hearings before the Council's Taxi and Private Hire Licensing Panel to all parties present.

The Licensing Officer reported on an application from Ola UK Private Limited of Office 146, Regus, 960 Capability Green, Luton for the grant of a private hire operator's licence, with an exemption from standard operator conditions under the Luton Borough Council's Standard Conditions for Private Hire Operators Licence, as set out in the report (Ref: 5).

She stated Ola intended to operate an app based booking platform for providing transportation services through private hire vehicles and hackney carriage vehicles on their platform.

She added that on receipt of the application, the council had contacted Ola to provide a clear business plan detailing how the app would work in Luton. Their written responses were set out in Appendix C to the report.

She continued that Ola had submitted supporting information, as set out in Appendix D, which detailed how the application would work for both the driver and customer.

She further informed the Panel that an out of date Council Statement of Licensing Policy was included in error at Appendix E and that she had the up-to-date document if required for reference purposes.

The Panel had no questions for the Licensing Officer.

The applicant's representatives had no questions for the Licensing Officer.

Mr Karl Lutzow, one of Ola's representatives, addressed the Panel in support of the application. He stated that the company was an app based booking operator. He further explained their desire to build relationships within the industry as well as with regulators.

Mr Lutzow continued that Ola's focus was to deliver a quality and safe service to both drivers and customers. For instance, the company had introduced an SOS button for customers and drivers to ensure safety. Another security aspect which had been newly introduced was four digit codes that were generated by the app to ensure that passengers were matched to and picked up by the correct vehicles.

He further explained that every ride was tracked, which meant that customers could share their location with family and friends. They also had specific members of staff allocated to verify documentation of drivers. He added that they delivered a clear coaching programme to ensure that drivers were informed and trained to the best standard.

The Panel was informed that Ola had a total of 79 other licences across the UK including in Birmingham, Cardiff, Bristol, Exeter and Liverpool and was about to launch the app in London within the following few days. Ola also operated in a number of different countries.

Mr Lutzow highlighted that the exemptions sought from the standard condition to keep a record of bookings and passenger journeys in a bound book were due to the nature of the app based system that Ola used as its platform. All information was kept electronically and he affirmed that information would be available for inspection by the licensing authority and the Police on request.

Mr Lutzow was questioned by the Panel and he responded in compliance with the approved procedure.

He advised the Panel that the app included the ability to create a virtual geographic boundary around certain areas, such as airports or train stations, to assist in the prevention of touting. It also required customers to be a certain distance away from one of their cars in order to be able to book it.

He further informed the Panel that their aim was to use vehicles and drivers licensed in Luton, although there would be occasions where they would rely on the deregulation provisions and work with operators from outside Luton as well.

In response to queries regarding dealing with misdemeanours, Mr Lutzow explained that the business had a 24/7 call centre which prioritised all calls and complaints by order of severity and importance. Therefore calls would be responded to within as little as 4 minutes up to 4 hours depending on the urgency or severity of the matter. He stated that it was possible for a driver to be suspended immediately pending investigations into an incident, if of a serious nature. In some circumstances, for instance if the driver's vehicle was not roadworthy, the driver could also be taken off the platform temporarily if the licensing authority required it.

He added that there would be a direct link for the licensing authority to the area manager. There was also a facility on the app for customers to rate drivers and vice versa. The feedback would then be evaluated and drivers given support to improve their ratings, if required.

In response to a query from the Senior Licensing Officer in relation to the exemption from the conditions, he further emphasised that the information required to be held as a standard condition of an Operator License would all be recorded and made available for inspection by the Local Authority or Police on request. As all information would be captured electronically due to the nature of the app, it would not be made manually by a controller, they had requested an exemption from it being contained in a bound book. He affirmed that all information would be held in electronic form and would be readily accessible and provided to authorities in a reasonable time, depending on the urgency of the information request.

In response to a question from the Panel, Mr Lutzow advised that real time access to records by the authorities would not be available, as not provided anywhere else due to privacy issues. However, he said he was confident that if required urgent information could be retrieved and provided very quickly.

He concluded that Ola would continue to update the Authority in relation to safety features. They would continue to set standards within the industry and focus on delivering a quality and safe experience to both customers and drivers.

There were no further representations from any parties.

The Clerk to the Panel directed the Panel to the options set out in the report for their consideration.

In accordance with the Local Government Act 1972, Members considered whether the public interest in retiring to make their decision in private outweighed the public interest in holding their deliberations in public.

Following brief discussion by Members of the Panel, they determined that the public interest of retiring to make their decision in private outweighed the public interest in holding their deliberations in public.

5. LOCAL GOVERNMENT ACT 1972, PART VA (REF 6)

Resolved: That, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded during consideration of the decision in relation to the report of the Strategic Regulatory Manager (Ref: 5) as referred to at Minute No. 4/20, as it is likely that if members of the public were present, there would be disclosure to them of exempt information falling within Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended.

6. LOCAL GOVERNMENT ACT 1972, PART VA (REF 6)

Resolved: That, under Section 100A (4) of the Local Government Act 1972, the public and press be no longer excluded from the meeting.

7. APPLICATION FOR GRANT OF OPERATOR'S LICENCE WITH EXEMPTIONS – OLA UK PRIVATE LTD (REF 5)

Resolved: That, having carefully considered the papers before it and the oral representations made by Mr Karl Lutzow, the applicant's representative, the Panel decided to **GRANT** the application for the operator's licence with exemptions to the current Council Policy, in relation to condition 1, about keeping records electronically instead of in a hand written bound book, as applied for.

8. LOCAL GOVERNMENT ACT 1972, PART VA (REF 6)

Resolved: That, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded during consideration of Item 9 below, as it was likely that if members of the public were present, there would be disclosure to them of exempt information falling within Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended.

9. MINUTES (REF 7.1)

Resolved: That the Minutes of the meeting of the Panel held on 14th June 2019 be taken as read, approved as a correct record and the Chair be authorised to sign them.

(Note: (i) Councillor G. R. Javed declared a personal interest regarding Agenda Item 5, as set out at Minute 3 above.

(ii) The meeting concluded at 10.40 am)

Committee:	Taxi and Private Hire Licensing Panel			
Date of Meeting:	07 August 2020			
Subject:	Application for Grant of Private Hire Operators Licence with Exemptions – Swiftli Ltd, Regus, 960 Capability Green, Luton LU1 3PE			
Report Author:	The Strategic Regulatory Manager – Operational Compliance			
Contact Officer:	Jenny Van Beukelen			
Implications:	Legal	<input checked="" type="checkbox"/>	Community Safety	<input type="checkbox"/>
	Equalities	<input type="checkbox"/>	Environment	<input type="checkbox"/>
	Financial	<input type="checkbox"/>	Consultations	<input type="checkbox"/>
	Staffing	<input type="checkbox"/>	Other	<input type="checkbox"/>
Wards Affected:	All			

Purpose

- The report is to enable the Taxi and Private Hire Licensing Panel to consider the application for the grant of a Private Hire Operator's licence for Swiftli Ltd, Regus 960 Capability Green, Luton LU1 3PE, with Exemptions from the Standard Conditions for Private Hire Operators.

Recommendations

- The Taxi & Private Hire Licensing Panel is recommended to determine the application from Swiftli Ltd for the grant of a private hire operator's licence with exemptions from the Standard Conditions for Private Hire Operators.**

Background

- The Council's Standard Condition, which are contained in the Hackney Carriage and Private Hire Licensing Policy 2018, provide a minimum standard of expectation of Private Hire Operators within the Borough. Copy of Policy at Appendix A.

Report

- The application for exemptions from the Standard Operator Conditions under the Policy would allow Swiftli Ltd to operate with exemptions from the requirements in the standard private hire conditions.
- The Licensing Service received an application for a Private Hire Operator's Licence on 02 February 2020. A copy can be found at Appendix B.
- A letter was submitted with the application stating that 'the company will operate via a passenger booking app only' they 'will not be taking bookings via telephone and will not have a public office in Luton to act both as a control room and as an onboarding centre for new drivers'. All of their records will be held electronically in their despatch system and will be available for inspection when required. Copy of letter can be found at Appendix C

7. The Licensing Service contacted Swiftli Ltd to provide a clear business plan detailing how the app will work in Luton. Copy of the questions and answers can be found at Appendix C

☐ How will Swiftli ensure that the invitation and acceptance of the booking will actually take place in the district of Luton?

Our operation will use an off the shelf despatch solution which will be configured so that Luton is the only available region and therefore it will only be possible for a prospective passenger to book their minicab if their journey either originates or terminates in Luton.

☐ How will the app/ system accept the booking? (this would have particular relevance to London Luton airport and main rail stations as we would expect these locations to be restricted on the app to prevent plying for hire and touting).

A prospective passenger will have to register for the app. Once registered, the passenger will need to input their pick-up and drop-off addresses. Provided these meet the requirements as set out above (i.e. The journey must be originating or terminating in luton), the despatch system or a controller will attempt to allocate a driver using a set of pre-defined rules to determine the “best” driver for the “job”. The factors taken into account when determining the best driver are as follows:

- Type of vehicle selected by prospective passenger
- Distance of driver to prospective passenger
- Amount of time since driver completed their last job

Once the best driver has been determined, the job is offered to the driver on their mobile device via the driver app. It is up to the driver to accept or decline the job. Once the driver accepts the job, the passengers’ app will update and show the details of the drivers’ car. The driver then completes the pick-up and the journey. Once complete, the driver is then ready for their next job. In the event that the driver chooses to decline the job, the system will attempt to find another suitable driver until all options are exhausted, in which case the prospective passenger will see an error in the app and will have to find alternative transport provision.

With respect to Luton airport and the rail stations, we expect to treat these in the same way, i.e. a prospective passenger will have to use their app to request a pick-up from these locations and provided we have drivers available, a driver will be allocated to the job. There is no reason why our particular model should result in drivers plying for or touting for work at these locations – our understanding is that drivers would be in breach of their private hire licence should they do so.

☐ What is the role of the driver in the bookings process?

As above. Driver is selected to complete a job either automatically by the despatch system or by a controller. The driver has a choice of whether to accept or decline the job. The driver is paid directly by the passenger if the passenger chooses to pay cash. In instances where the passenger has chosen to pay by card, the payment will be

taken in the app by Swiftli Ltd and then reimbursed to drivers on a weekly basis minus any commission that is due.

☐ What is the role of the app acting as the operator in this process?

The app doesn't act as an operator in this process. It is a channel for booking a journey in a similar way that a customer might have called a booking office to provide the journey details and to have a driver allocated to their journey via a controller and/or despatch system.

☐ Will only Luton drivers/ vehicles be available on the app under this proposed operator's licence? If not, and the app will rely on the provisions of deregulation, how will the system record the passing of the booking to an out of district operator?

Luton drivers only at the present time. We will seek further advice/clearance from you if we decide at any point in the future to rely on the provisions of deregulation.

☐ If there will be out of district operators on the app then please identify which operators will be used?

No out of district operators to be used.

☐ How is the contract formed with the parties involved in this proposal?

Swiftli Ltd acts as an agent for minicab drivers, connecting them with prospective passengers via our booking app. The contract for carriage is between the driver and the passenger.

☐ Will you be looking to utilise Luton hackney carriages as part of this proposal?

No.

☐ Can you confirm if licensed vehicles operating under the Swiftli Ltd licence will display door stickers and plates in accordance with the standard vehicle conditions referred to in our statement of licensing policy?

Yes. However – we would like an exemption for the door stickers to allow for these to be in our brand colours (instead of yellow background).

8. The applicant has been invited to attend the meeting to answer any questions the taxi and private hire licensing panel may have. After considering all the information, including any oral representations, the panel must decide whether the applicant/driver is a fit and proper person to hold a driver's licence. The panel may:

- Grant the licence for a period of two years, or
- Defer the matter to a later panel to gather further information, or
- Refuse the licence application, under Section 51/ 59 of the Local Government (Miscellaneous Provision) Act 1976, stating the grounds for the refusal.

Proposal/Options

9. Grant the licence for a period of two years, or Defer the matter to a later panel to gather further information, or Refuse the licence application, under Section 51/ 59 of

the Local Government (Miscellaneous Provision) Act 1976, stating the grounds for the refusal.

Appendices

Appendix A - [Link to Hackney Carriage & Private Hire Policy](#) (Hard copy not provided)

Appendix B – Copy of Private Hire Application

Appendix C – Copy of letter submitted

Appendix D – Copy of questions & answers

List of Background Papers - Local Government Act 1972, Section 100D

- Section 100A of and Schedule 12A to the Local Government Act 1972.
- Rehabilitation of Offenders Act 1974
- Luton Borough Council Private Hire and Hackney Carriage Licensing Convictions Policy

Implications

Item	Details	Clearance Agreed By	Dated
Legal	Report cleared	Samantha Mckeeman	10 July 2020
Finance			
Equalities			
Environment			
Community Safety			
Staffing			
Consultations			
Other			

FOR OFFICE USE ONLY			
LICENCE FEE		DOCUMENTS RECIEVED	
Receipt No		PHOTO	
Amount Paid		DISCLOSURE	
Date of Issue		PHOTO ID	
OFFICER		MAU NO	169934

Licensing Service
Luton Borough Council
Town Hall
Luton
LU1 2BQ
Telephone 01582 546040

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

APPLICATION FOR PRIVATE HIRE OPERATOR'S LICENCE

TO BE COMPLETED IN BLOCK LETTERS

Full Name(s) of Proprietor(s) and Partner(s)	SYED QAISER ABBAS
Home Address(es)	17 HOLYROOD DRIVE DUNSTABLE BEDS, LU5 5FW
Telephone No(s)	
Date(s) of Birth	
Place(s) of Birth	
Email Address	SQA@SWIFTLI.CO.UK
Name of Private Company or Business	SWIFTLI LTD
Provide details of Companies House registration (where applicable)	12242105
Address(es) of Premises from which you operate Telephone No(s) Must be within the Borough of Luton	REGUS 960 CAPABILITY GREEN LUTON LU1 3PE
Does your premises mentioned in this application have access to members of the public? (for example a waiting area) IF YES, you will need to provide public liability insurance for the premises as part of your application	YES <input checked="" type="radio"/> NO <input type="radio"/>

DATA PROTECTION ACT 1984

This department now holds most of its records on a computer database. The purpose of holding this information on computer is to enable us to provide a more efficient service. All the information held will be confidential and you are at liberty to view the details that specifically apply to you should you so wish.

Luton

If you were not engaged as a Hackney Carriage or Private Hire Vehicle Proprietor before making this application please indicate your previous occupation	<i>PRODUCT MANAGER WITHIN BANKING</i>																		
Has a previous application for an Operator's Licence been made? If yes, give details	YES/NO <i>(NO circled)</i>																		
Has a previous Operator's Licence held by you been revoked or suspended?	<i>No.</i>																		
At the date of this application, have you any "unspent" convictions for- (a) Motoring offences (b) Non-motoring offences (for	<div data-bbox="785 517 903 585">YES/NO <i>(YES circled)</i></div> <div data-bbox="785 585 903 641">YES/NO <i>(YES circled)</i></div>																		
<p>If yes, give details</p> <p>(a) Motoring Offences</p> <table border="0"> <thead> <tr> <th>Name</th> <th>Court</th> <th>Offence</th> <th>Date</th> <th>Fine/Sentence</th> </tr> </thead> <tbody> <tr> <td><i>Syed Abbas</i></td> <td></td> <td><i>SP30</i></td> <td><i>10/01/2019</i></td> <td><i>3 Points</i></td> </tr> </tbody> </table> <p>(b) Non-motoring Offences</p> <table border="0"> <thead> <tr> <th>Name</th> <th>Court</th> <th>Offence</th> <th>Date</th> <th>Fine/Sentence</th> </tr> </thead> <tbody> </tbody> </table>					Name	Court	Offence	Date	Fine/Sentence	<i>Syed Abbas</i>		<i>SP30</i>	<i>10/01/2019</i>	<i>3 Points</i>	Name	Court	Offence	Date	Fine/Sentence
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<i>Syed Abbas</i>		<i>SP30</i>	<i>10/01/2019</i>	<i>3 Points</i>															
Name	Court	Offence	Date	Fine/Sentence															
<p>How many persons do you employ for bookings for Private Hire and in what capacity?</p> <p>No. of People <i>0</i> Employed as _____</p>																			

IF THE APPLICANT(S) IS, OR HAS BEEN, A DIRECTOR OR SECRETARY OF A COMPANY

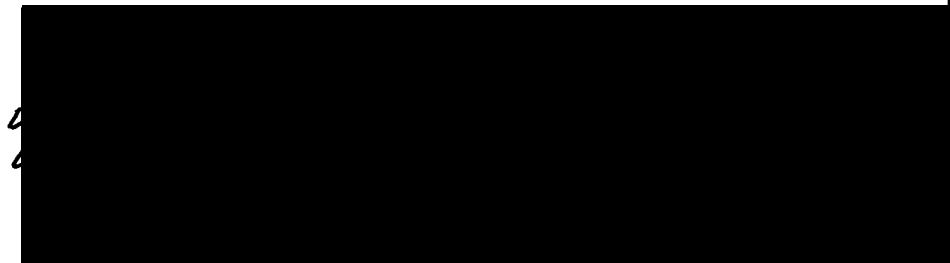
Have any convictions been recorded against that company at any relevant time? If YES give details -	YES/NO <input checked="" type="radio"/>
Give details of any trade or business activities carried on by that company	IT CONSULTANCY SERVICES.
Has any previous application been made by that company for an Operator's Licence? If YES give details of when and where	YES/NO <input checked="" type="radio"/>
Has any previous Operator's Licence held by that company been revoked or suspended? If YES give details -	YES/NO <input checked="" type="radio"/>

COMPANIES

State names, addresses, dates and place(s) of birth of all Directors of the company and the Company Secretary

Directors

Name
SYED QAISER
ABBAS



Company Secretary

Name	Address	Date of Birth	Place of Birth
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AS ABOVE

Has any Director of Secretary of the company been convicted of any offence which is an "unspent" conviction? If so, give details -

Name	Court	Offence	Date	Fine/Sentence
------	-------	---------	------	---------------

(Handwritten signature/line across the table)

Has any previous application been made for an Operator's Licence by the company? If YES give details of when and where

YES/NO ☒

Has any previous Operator's Licence held by any Director or Secretary of the company been revoked or suspended?

YES/NO

If YES give details

PARTNERSHIPS

State names, addresses, dates and place(s) of birth of all partners

Name	Address	Date of Birth	Place of Birth
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Give details of any "unspent" conviction recorded against any person(s) with whom you operate vehicles in partnership

Name	Court	Offence	Date	Fine/Sentence
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(See attached sheet regarding unspent convictions)

Has any previous application been made for an Operator's Licence by your partner(s)?

YES/NO

If YES give details of when and by whom

Has any previous Operator's Licence held by your partner(s) been revoked or suspended?

YES/NO

If YES give details


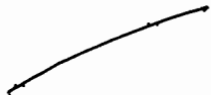


TBC. WE DON'T HAVE ANY DRIVERS AT THE PRESENT TIME.

[illegible]

First Name	Surname	Address	Badge No	Exp Date	Car Registration	Plate No

AUTHORISED SIGNATURES

Below the signature(s) of all people who are authorised to sign on behalf of the Private Hire Operator(s)

NAME	SIGNATURE
1 SYED QAISER ABBAS	
2 	
3 	

Please note: your licence if granted can only run until the expiry of your rights to remain and work in the UK, but will not exceed the maximum statutory period of a licence.

I hereby request the Borough of Luton to licence me to operate Private Hire Vehicles in the Borough of Luton and, if the same is granted, I undertake to comply with the provision relating to the same and for the time being in force. I declare the above particulars to be true and correct. I declare that I have no "unspent" convictions other than those set out above. I confirm I have been provided with all conditions for Private Hire Operator Licence.

Signed



Date 31/01/2020.

NB - This Authority is under a duty to protect the public funds it administers, and to this end, may use the information you have provided on this form within this authority for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes.

Data Protection Information

Privacy Notice

We take your privacy very seriously therefore we urge you to read Luton Council's privacy statements carefully because it contains important information about us and

- The personal information we collect about you
- What we do with your information, and
- Who your information may be shared with

To view this Privacy Notice, please visit <https://www.luton.gov.uk/pages/privacystatement>

Swiftli Ltd
960 Capability Green
Luton, LU13PE
07/02/2020

Licensing Service
Luton Borough Council
Town Hall
Luton, LU1 2BQ

FAO Private Hire Licencing Office

Please find attached an application for a Private Hire Operators licence for my company Swiftli Ltd. I am the sole director of the company and wish to apply for a **1 year** licence initially.

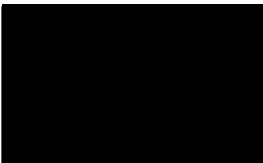
If possible, I'd like the licence to commence on 01/04/2020.

The company will operate via a passenger booking app only, i.e. we will not be taking bookings via telephone and will not have a public office available for members of the public. We will however have an office in Luton to act both as a control room and as an onboarding centre for new drivers. All of our records will be held electronically in our despatch system and will be available for inspection when required.

You will note that there are no drivers noted on the application at the present time. We anticipate that we will commence driver recruitment activities once we have the outcome of our Operators Licence application.

Please don't hesitate to contact me on the details below should you wish to discuss this application further.

Sincerely,



Syed Qaiser Abbas
Managing Director



sqa@swiftli.co.uk

APPENDIX D

From: Syed Abbas [mailto:sqa@swiftli.co.uk]
Sent: 27 May 2020 12:17
To: Van Beukelen, Jennifer
Subject: Re: Swiftli Ltd - Operators application

Hi Jenny,

Thanks for your response. I have provided answers to all of these questions in an email to Mark Deller on the 24th of February this year. You can see the responses in this mail thread but I am copying them here for you for convenience. I'm conscious that the Pandemic has caused some delays but I would've thought that we would at least have moved beyond this point, i.e. I have already submitted this information and was already advised in February that the application will likely need to be submitted to panel. I'd appreciate an update on next steps and timelines please.

How will Swiftli ensure that the invitation and acceptance of the booking will actually take place in the District of Luton?

Our operation will use an off the shelf despatch solution which will be configured so that Luton is the only available region and therefore it will only be possible for a prospective passenger to book their minicab if their journey either originates or terminates in Luton.

How will the app/ system accept the booking? (this would have particular relevance to London Luton Airport and main rail stations as we would expect these locations to be restricted on the App to prevent plying for hire and touting).

A prospective passenger will have to register for the app. Once registered, the passenger will need to input their pick-up and drop-off addresses. Provided these meet the requirements as set out above (i.e. the journey must be originating or terminating in Luton), the Despatch system or a controller will attempt to allocate a driver using a set of pre-defined rules to determine the "best" driver for the "job". The factors taken into account when determining the best driver are as follows:

- Type of vehicle selected by prospective Passenger
- Distance of driver to prospective passenger
- Amount of time since driver completed their last job

Once the best driver has been determined, the Job is offered to the driver on their mobile device via the Driver App. It is up to the Driver to accept or decline the Job. Once the Driver accepts the Job, the Passengers app will update and show the details of the Drivers car. The Driver then completes the Pick-up and the journey. Once complete, the Driver is then ready for their next Job. In the event that the Driver chooses to decline the Job, the system will attempt to find another suitable Driver until all options are exhausted, in which case the prospective Passenger will see an error in the app and will have to find alternative transport provision.

With respect to Luton Airport and the Rail stations, we expect to treat these in the same way, i.e. a prospective passenger will have to use their app to request a pick-up from these locations and provided we have drivers available, a driver will be allocated to the Job. There is no reason why our particular model should result in drivers plying for or touting for work

at these locations – our understanding is that drivers would be in breach of their Private Hire Licence should they do so.

What is the role of the driver in the bookings process?

As above. Driver is selected to complete a Job either automatically by the Despatch system or by a Controller. The Driver has a choice of whether to accept or decline the Job. The driver is paid directly by the Passenger if the passenger chooses to pay cash. In instances where the passenger has chosen to pay by card, the Payment will be taken in the app by Swiftli Ltd and then reimbursed to drivers on a weekly basis minus any commission that is due.

What is the role of the App acting as the operator in this process?

The App doesn't act as an Operator in this process. It is a channel for booking a journey in a similar way that a customer might have called a booking office to provide the journey details and to have a Driver allocated to their journey via a Controller and/or Despatch system.

Will only Luton drivers/ vehicles be available on the App under this proposed operator's licence? If not, and the app will rely on the provisions of deregulation, how will the system record the passing of the booking to an out of district operator?

Luton drivers only at the present time. We will seek further advice/clearance from you if we decide at any point in the future to rely on the provisions of deregulation.

If there will be out of district operators on the App then please identify which operators will be used?

No out of District operators to be used.

How is the contract formed with the parties involved in this proposal?

Swiftli Ltd acts as an agent for Minicab drivers, connecting them with prospective passengers via our Booking app. The contract for carriage is between the driver and the passenger.

Will you be looking to utilise Luton Hackney Carriages as part of this proposal?

No.

Can you confirm if licensed vehicles operating under the Swiftli Ltd Licence will display door stickers and plates in accordance with the standard vehicle conditions referred to in our statement of licensing policy?

Yes. However – we would like an exemption for the door stickers to allow for these to be in our brand colours (instead of yellow background).

Regards,

Syed Abbas
Managing Director
Swiftli Ltd.
e: sqa@swiftli.uk
t: 07502463483



From: "Van Beukelen, Jennifer"
Date: Wednesday, 27 May 2020 at 11:58
To: 'Syed Abbas'
Subject: RE: Swiftli Ltd - Operators application

Good morning Mr Abbas

I have looked at the application and as it falls outside of the conditions, it will have to be determined at the Taxi & Private Hire Licensing Panel.

Can I ask a few questions in order to get the report written for the panel.

- How will Swiftli ensure that the invitation and acceptance of the booking will actually take place in the District of Luton?
- How will the app/ system accept the booking? (this would have particular relevance to London Luton Airport and main rail stations as we would expect these locations to be restricted on the App to prevent plying for hire and touting).
- What is the role of the driver in the bookings process?
- What is the role of the App acting as the operator in this process?
- Will only Luton divers/ vehicles be available on the App under this proposed operator's licence? If not, and the app will rely on the provisions of deregulation, how will the system record the passing of the booking to an out of district operator?
- If there will be out of district operators on the App then please identify which operators will be used?
- How is the contract formed with the parties involved in this proposal?
- Will you be looking to utilise Luton Hackney Carriages as part of this proposal?
- Can you confirm if licensed vehicles operating under your Swiftli Licence will display door stickers and plates in accordance with the standard vehicle conditions referred to in our statement of licensing policy?

I look forward to hearing from you.

Regards

Jenny

Jenny van Beukelen
Lead Senior Licensing Officer
Luton Borough Council
01582 546119
07760 125929
Jennifer.vanbeukelen@luton.gov.uk

From: Syed Abbas
Sent: 26 May 2020 15:06
To: Van Beukelen, Jennifer
Subject: Re: Swiftli Ltd - Operators application

Hi Jenny,

Hope you're well. Has there been any further progress with this?

Regards,

Syed Abbas
Managing Director
Swiftli Ltd.
e: sqa@swiftli.uk
t: 07502463483



From: "Van Beukelen, Jennifer" <Jennifer.VanBeukelen@luton.gov.uk>
Date: Wednesday, 13 May 2020 at 14:29
To: "sqa@swiftli.co.uk" <sqa@swiftli.co.uk>
Subject: FW: Swiftli Ltd - Operators application

Good afternoon Mr Abbas

Thank you for your email, I hope this finds you safe and well.

I have now been passed your application and apologise for the delay.

I will be looking at it over the next couple of days and will get back to you.

If you have any questions in the meantime, please do not hesitate to contact me.

Kind regards

Jenny

Jenny van Beukelen
Lead Senior Licensing Officer
Luton Borough Council
01582 546119
07760 125929
Jennifer.vanbeukelen@luton.gov.uk

From: Syed Abbas <sqa@swiftli.co.uk>
Sent: 12 May 2020 20:36
To: Deller, Mark <Mark.Deller@luton.gov.uk>
Cc: LBC ER Licensing <licensing@luton.gov.uk>
Subject: Re: Swiftli Ltd - Operators application

Hi Mark,

I hope that you're well. I appreciate that the past couple of months will have been particularly demanding for the Licensing office. I wanted to enquire if there has been any progress at all regarding our Operators licence application as I have not had any correspondence to confirm either way. I would appreciate an update or an indication of next steps for us.

Many Thanks,

Syed Abbas
Managing Director
Swiftli Ltd.
e: sqa@swiftli.uk
t: 07502463483



From: "Deller, Mark" <Mark.Deller@luton.gov.uk>
Date: Thursday, 27 February 2020 at 09:41
To: 'Syed Abbas' <sqa@swiftli.co.uk>
Subject: RE: Swiftli Ltd - Operators application

Hi Mr Abbas

Thank you for the below information, we have passed this onto the Licensing manager for review & to see if the application will have to be determined before a panel.

Once we have further information we will be in touch

Kind Regards

Mark Deller
Licensing Officer
Luton Council

01582 546412
licensing@luton.gov.uk

From: Syed Abbas [<mailto:sqa@swiftli.co.uk>]
Sent: 24 February 2020 16:38
To: Deller, Mark
Cc: Mernagh, Holly
Subject: Re: Swiftli Ltd - Operators application

Hi Mark,

Many thanks for your email and for giving me the opportunity to provide further detail. I believe the characteristics of our operations are more like a traditional operation via a booking app and not that of a “true app based operation”. I will attempt to respond to each of the queries in-line below. I have not attached our Business Plan as this is a broader document containing financial breakdowns, marketing plans and other sensitive information not particularly relevant to the licensing queries you’ve raised.

How will Swiftli ensure that the invitation and acceptance of the booking will actually take place in the District of Luton?

Our operation will use an off the shelf despatch solution which will be configured so that Luton is the only available region and therefore it will only be possible for a prospective passenger to book their minicab if their journey either originates or terminates in Luton.

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No.

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Yes. However – we would like an exemption for the door stickers to allow for these to be in our brand colours (instead of yellow background).

Hope the above is ample clarification. Please don't hesitate to call or email should you require further clarifications.

Regards,

Syed Abbas
Managing Director
Swiftli Ltd.
e: sqa@swiftli.uk
t: 07502463483



From: "Deller, Mark" <Mark.Deller@luton.gov.uk>
Date: Monday, 24 February 2020 at 08:27
To: "sqa@swiftli.co.uk" <sqa@swiftli.co.uk>
Cc: "Mernagh, Holly" <Holly.Mernagh@luton.gov.uk>
Subject: RE: Swiftli Ltd - Operators application

Dear Mr Syed Qaiser Abbas

Thank you for your application to operate a private hire service in Luton on behalf of Swiftli Ltd. It is unclear if your operation is actually a true app based operation or whether it is a traditional operation which is booked via an app.

If your application is deemed to be an app based operation then your application will need to be referred to the Taxi and Private Hire Panel for determination as it would fall outside of our statement of licensing policy, which I have attached for you to read.

Please can I ask you provide a clear business plan detailing how you anticipate the app will work in Luton, I would ask you pay particular attention to the following areas:

- How will Swiftli ensure that the invitation and acceptance of the booking will actually take place in the District of Luton?
- How will the app/ system accept the booking? (this would have particular relevance to London Luton Airport and main rail stations as we would expect these locations to be restricted on the App to prevent plying for hire and touting).
- What is the role of the driver in the bookings process?
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- If there will be out of district operators on the App then please identify which operators will be used?
- How is the contract formed with the parties involved in this proposal?
- Will you be looking to utilise Luton Hackney Carriages as part of this proposal?
- Can you confirm if licensed vehicles operating under the Swiftli Ltd Licence will display door stickers and plates in accordance with the standard vehicle conditions referred to in our statement of licensing policy?

Should you require any additional information in relation to this matter, then please do not hesitate to contact me directly.

Kind Regards

Mark Deller
Licensing Officer
Luton Council

01582 546412
licensing@luton.gov.uk