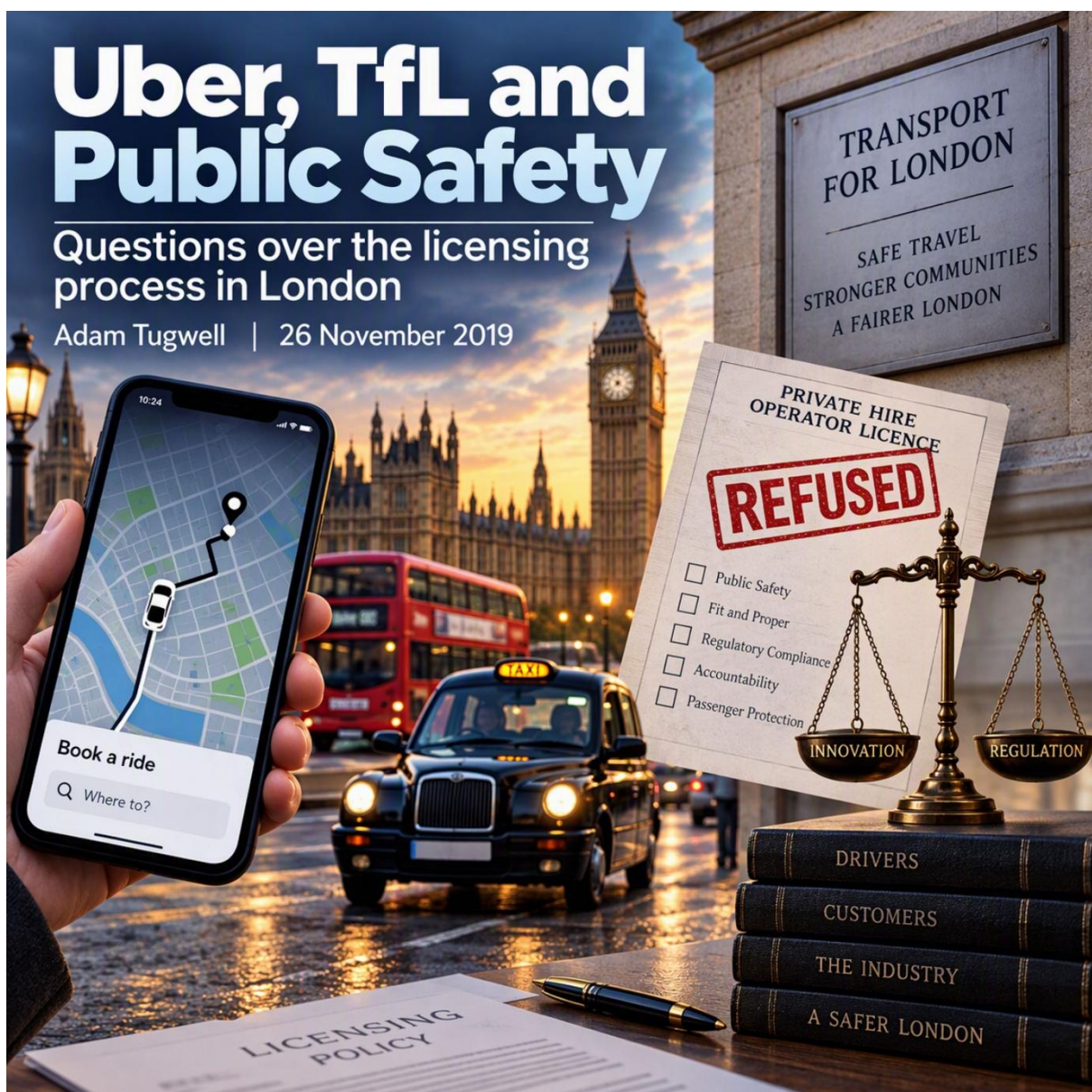


As a Licensing Chair I would have understood why TfL has refused to renew Uber's License. Actually, I wouldn't have awarded them one in the first place – but that helps nobody now

Adam Tugwell | 26 November 2019



If you were looking for a textbook example of what disruptive technology looks like when it hits a marketplace, the assault on the Taxi business in London by Uber would be it.

As a former business owner and entrepreneur, business advisor, business planning tutor and Chairman of a Licensing Authority, the case that has been bubbling away between TFL and Uber over a period of many months has become very interesting reading indeed.

It's not only because the Licensing Principles have come in to question and this has formed the basis of TFL's excuse to refuse to reissue Uber's Operating License.

It's because the License was awarded in the first place. *Especially when the Company's insistence that it is not itself a Private Hire Company is publicly known.*

Licensing in London is of course different to the responsibilities of the Licensing Authority covering rural Gloucestershire and some of its Market Towns that I oversaw for 4 years from 2011 – 2015, just on the basis of size alone. But the principles that underpin Taxi and Private Hire Licensing in each and every part of the Country are exactly the same.

It doesn't matter how much the Company protests otherwise. Customers know and understand the service and the app they use to book it to be 'an Uber'.

Customers don't know Uber to be a price comparison website, an advice site, a recommendation site or anything else that could sound like a plausible re-labelling of a what-it-says-on-the-can technology platform. One that aims to distance itself from the very responsibilities that govern the public-facing service and industry that it has aimed so successfully to disrupt – rather than as being a place where you connect online to get a choice of different 'taxi co's'.

The real cost of whatever influences allowed and facilitated the entry of Uber into our Capital in the first place – in these circumstances, have only since started to become known.

But the fact that Customers across London have now experienced the low-cost, *comparatively* easy to use side of a service that exists purely because of what might have been the intentional misinterpretation of Private Hire Legislation, means that the rules that were arguably broken to facilitate the arrival of the Uber service in London, no longer matter where public opinion is involved.

Herein lies the real problem for TFL having this battle with Uber. Because whoever influenced or made the decision to allow Uber to operate in London without the Company accepting and demonstrating that they would meet all of the requirements of being a Private Hire Operator – *not only in principle – but in practical form too* – at that very point created the problem that is TFL vs. Uber today.

Because TFL awarded a License in the first place, they *should* now accept that they have responsibility for Uber being present in London. No matter who was in charge then. No matter who is in charge now.

At the same time however, Uber *should not* expect to continue operating under the false pretence that it is not itself a Private Hire Operator when doing so is little more than an elaborate charade.

Just because so many drivers now provide a Private Hire Service through Uber in London, it should not in anyway mean that a privately owned company can do whatever it likes without impunity – especially where questions of Public Safety are very clearly involved.

However, the reality that Uber has already held a License of the type they are attempting to regain, does suggest that the Company should at least have the opportunity to address the wider issues that are present. To accept the *real* responsibilities they have towards customers, to employees and to contractors too. And to begin behaving like they are a part of an established and historic British Industry that they can work with, within and in support of, rather than treating it like it doesn't exist and is something that they can walkover and ultimately replace.

No private company or commercial enterprise should be allowed to behave like a dictator over the provision of any service that involves public safety, at any level or at any stage.

If Uber wins its License back on Appeal, without any review, reform or change of the way that they operate, that however, is exactly what they will have become.

For good or for bad and for reasons unknown, TFL stepped outside the boundaries of the Licensing Principles to award Uber a Licence in the first place.

If it wants to fix the Uber problem properly it will have to be big enough to step outside those rules again for all the right reasons now and use the power and influence that it has to create a Private Hire model in London that works for TFL, for Uber, for the Industry, for the drivers, for the customers and basically everyone involved.

Please Note: *This article was originally published on 26 November 2019 on www.adamtugwell.blog. A new featured image was added and the article was prepared for PDF publication on 20 October 2026. Apart from these presentational changes, the article appears exactly as originally written, with no amendments to the text or titles.*

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