

**High Court Declaration Proceedings concerning the obligations of private hire vehicle operators licensed under Part II of the Local Government (Miscellaneous Provisions) Act 1976**

In *Uber London Limited v. Transport for London and others* [2021] EWHC 3290 (Admin) the Divisional Court made the following declaration:

*In order to operate lawfully under the Private Hire Vehicles (London) Act 1998 a licensed operator who accepts a booking from a passenger is required to enter as principal into a contractual obligation with the passenger to provide the journey which is the subject of the booking.*

Uber Britannia Limited (“UBL”) is licensed by the Council as a private hire vehicle (“PHV”) operator under the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, which the Council has adopted to apply in its area.

UBL has commenced proceedings against the Council under Part 8 of the Civil Procedure Rules seeking the following declaration from the High Court:

*In order to operate lawfully under Part II Local Government (Miscellaneous Provisions) Act 1976, a licensed operator who accepts a booking from a passenger is required to enter as principal into a contractual obligation with the passenger to provide the journey which is the subject of the booking.*

The purpose of this notice is to draw these proceedings to the attention of interested parties, including licensed PHV operators and licensed drivers, and anyone who wishes to join into these proceedings.

UBL is in the process of applying for, directions from the Court whereby any parties who wish to be joined in these proceedings should apply to the Court by no later than 4pm on 11 May 2022.

Further details of the proceedings may be obtained by writing to UBL’s solicitors, Hogan Lovells International LLP ([Julia.marlow@hoganlovells.com](mailto:Julia.marlow@hoganlovells.com)), copying the Council ([sian.edwards@sefton.gov.uk](mailto:sian.edwards@sefton.gov.uk)). The Council is not able to provide legal advice as to whether any party should seek to be joined in the proceedings.

**Mark Toohey**  
**Principal Officer, Licensing**

**14 April 2022**