

Case Name: *United Trade Action Group Ltd & Anor, R (On the Application Of) v Transport for London & Anor* [2021] EWHC 73 (Admin) (20 January 2021)

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Commentary:

The Claimants, United Trade Action Group Limited (“UTAG”) and Licensed Taxi Drivers Associated Limited (“LTDA”), have been successful in their judicial review of the London Streetspace Plan (“the Plan”) and the traffic management order on Norton Folgate, Bishopsgate and Gracechurch Street, City of London (“the A10 Order”).

UTAG is a trade body formed to protect the interests of the Hackney carriage industry in London and LTDA is an established trade body representing the interests of Hackney carriage drivers. The Claimants brought their challenge on five grounds against the Defendants, the Mayor and Transport for London, for failure of the Plan and A10 Order to take into account specific issues. Ground 1 was the failure to distinguish taxis from general traffic; ground 2 was failure to have proper regard to the public sector equality duty; ground 3 was a disproportionate interference with the property rights of taxis in breach of Article 1 of the European Convention on Human Rights as the economic benefits that taxis derive from their statutory licences are a possession; ground 4 was the breach of legitimate expectation to pass on London’s roads and the use of bus lanes; and ground 5 was irrational treatment of taxis in the Plan and A10 Order.

Granting a quashing order, the High Court held that four of the five grounds were justified and these were grounds 1, 2, 4 and 5. In respect of grounds 1 and 2, it was held that the Plan failed to have regard to taxis being a form of public transport particularly in the role of facilitating those with mobility impairments and the A10 Order failed to have proper regard to the public sector equality duty pursuant to section 149 of the Equalities Act 2010. Grounds 4 and 5 also succeeded, but ground 3 was dismissed as there was insufficient evidence to establish an interference to the Claimants’ possessions by control of use.

The Judge stated that in light of this judgement the Plan and A10 Order would need to be reconsidered by the Defendants and substantially amended.

See [Simoncity](#) for further discussion.

Case summary prepared by Lida Nguyen