

# BINDMANS LLP



Our ref: JHL/44451.13  
Date: 24 January 2014

Direct fax: +44 (0)20 7833 7861  
Direct email: [j.halford@bindmans.com](mailto:j.halford@bindmans.com)  
PA: [c.langley@bindmans.com](mailto:c.langley@bindmans.com)

Peter Gell  
Legal Services  
Peterborough City Council  
Bayard Place  
Peterborough.  
PE1 1HZ

By e mail initially to Peter Gell [peter.gell@peterborough.gov.uk](mailto:peter.gell@peterborough.gov.uk)

Cc: [adrian.day@peterborough.gov.uk](mailto:adrian.day@peterborough.gov.uk)

Dear Mr Gell

## Amendments to Peterborough's Hackney Carriage Licensing Policy

Thank you for your e mail of 19 December 2013.

The current policy remains a source of concern for Allied.

In short, Peterborough has (rightly) accepted a broader range of taxis should be available locally. That was a decision made following proper consideration and consultation. The licensing conditions were amended accordingly. It was also decided that they should create a universal standard for all newly licensed vehicles, including a requirement for rear swivel seats which some passengers find very useful. Then, without consultation with Allied (or, it seems, anyone else), a decision was made to vary the policy to enable one manufacturer whose vehicle cannot comply the policy to make adjustments to their vehicle to enable it to do so and for their non-compliant vehicles to be licensed in the meantime. Had that concession been consulted upon and extended to all manufacturers, it might be lawful. For reasons that remain obscure, neither happened. The net result is that one manufacturer has ended up with a commercial advantage that brings no benefit to the taxi using public of Peterborough.

In these circumstances, Allied could proceed to propose, then bring, a judicial review and / or a *Francovich* damages claim, as you will know.

However, Peterborough, has taken a positive step towards an inclusive licensing policy, Allied does not want to seek conflict and there is a simple, and obvious alternative which is for Peterborough to extend the one year swivel seat concession to all manufactures' vehicles.

### Bindmans LLP

275 Gray's Inn Road London WC1X 8QB  
DX 37904 King's Cross Telephone 020 7833 4433 Fax 020 7837 9792  
[www.bindmans.com](http://www.bindmans.com) [info@bindmans.com](mailto:info@bindmans.com)

Bindmans LLP is a limited liability partnership registered in England and Wales under number OC335189. Its registered office is as set out above. The term partner means either a member of the LLP or a person with equivalent status and qualification.

**CONSULTANT**  
Sir Geoffrey Bindman QC

**PARTNERS**  
Tamsin Allen  
Saimo Chahal  
Jon Crocker  
Katherine Gieve  
Stephen Grosz  
John Halford  
Siobhan Kelly  
Lynn Knowles  
Neil O'May  
Shah Qureshi  
Martin Rackstraw  
Paul Ridge  
Michael Schwarz  
Alison Stanley  
Katie Wheatley

**ASSOCIATES**  
Liz Barratt  
Emilie Cole  
Chez Cotton  
Louise Coubrough  
Liz Dronfield  
Rhona Friedman  
Kate Goold  
Melanie Hay  
Shazia Khan  
Jude Lanchin  
Athalie Matthews  
Alla Murphy

**SOLICITORS**  
Jessica Black  
Janet Broadley  
Salima Budhani  
Pearl Carson  
Emma Cohen  
Peter Daly  
Rosalind Fitzgerald  
Nicholas Fry  
Roberta Haslam  
Charlotte HaworthHird  
Laura Higgs  
Catherine Jackson  
Saadia Khan  
Sara Lomri  
Kathryn Macken  
Gwendolen Morgan  
Najma Rasul  
Amy Rowe  
Jessica Skinnis  
Stephan Smith  
Tony Taylor  
Emma Webster

**CONSULTANTS**  
Philip Leach  
David Thomas

*Specialist  
Fraud Panel*



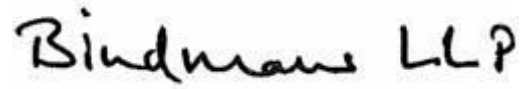
*Community  
Legal Service*



Regulated by the  
Solicitors  
Regulation  
Authority

Please can you ensure that the Licensing Committee gives urgent consideration to this proposal. We would be grateful for confirmation that will happen, and precisely when, within 14 days.

Yours faithfully

A handwritten signature in black ink that reads "Bindmans LLP". The signature is written in a cursive, slightly slanted style.

**Bindmans LLP**