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Kettering Borough Council
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2 April 2015

Our Ref: ADS/SBA/KLMT/001/008

Your Ref: RMH

Extremely Urgent
Sent by Fax: 01536 410795

Dear Sirs

Re: Our Clients KLM Taxis

Thank you for your letter dated 27 March the contents of which we note. We disagree with you and have already placed on record the fact that there will be a challenge if you maintain that you are using a correct consultation process.

We have not seen any evidence whatsoever to support your view that this condition is reasonably necessary. You have failed to come up with any cogent evidence in this regard. It is entirely a matter for you how you wish to proceed but if you continue to embark on what we would respectfully suggest is a flawed process then it is clearly inevitable that the matter will have to be litigated. You as the local authority are duty bound to explain your position with cogent evidence so that an appropriate and effective consultation can take place. You have not with the greatest of respect done this and we would urgently suggest that you comply with what is accepted law and practice. Please find listed below various issues which we do not believe have been taken into account. There are likely to be other issues which have also not been raised but by way of an illustration important factors we would respectfully suggest are (inter alia) as follows:-

- a) Appropriate individuals whom should be involved in the consultation process have not been contacted.
- b) We have not seen any information whatsoever to suggest that there have been seating problems or complaints regarding seat widths by the travelling public of Kettering.

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- c) Many vehicles which have seat widths below that which you are proposing have been successfully used in Kettering without difficulty for a significant period of time.
- d) Forcing Operators/Taxi Companies to purchase larger vehicles will have an impact both in replacing existing vehicles at a cost, hire insurance, road tax, fuel consumption etc.
- e) Many Companies simply would not have the finance to purchase alternative vehicles having invested in difficult economic conditions in perfectly acceptable vehicles which are fit for purpose pursuant to European Safety Standards.
- f) No safety evidence has been produced by Kettering Borough Council regarding seat widths.

We stress that these are some observations and there are likely to be many others but our primary concern is the legality of the process in any event.

We urge you to re-consider. We will have no hesitation in drawing this letter to the attention of the Court on the question of costs if it becomes appropriate.

Yours faithfully


Dennings Solicitors