

Hill Lee

From: [REDACTED]
Sent: 14 February 2017 10:54
To: [REDACTED]
Subject: RE: S165/7 designated vehicles list

[REDACTED]

I know you 'personal' have been very helpful, so thanks for that. Unfortunately, as a result of the decision of not overloading the taxi trade with comms/info, this has setback pretty much all my work (frustrating story) but I am not going to seek legal advice (authorised by my line manager) as to what position it puts us in doing either/or – I just have to let them know that our head of is not keen on comms with the trade.

From: [REDACTED] [REDACTED]@dft.gsi.gov.uk]
Sent: 14 February 2017 10:47
To: [REDACTED]
Subject: RE: S165/7 designated vehicles list

[REDACTED]

Sorry, but I don't think I can be more helpful than I already have. If I were in your position I would be very uncomfortable about the idea of imposing legal duties on drivers without informing them first, and would definitely want legal coverage for any decision taken.

Sorry,

[REDACTED]

From: [REDACTED]@tfl.gov.uk]
Sent: 13 February 2017 16:44
To: [REDACTED]@dft.gsi.gov.uk>
Subject: RE: S165/7 designated vehicles list

I'm aware of that but to cut the long story short, our head of is not keen to do too much comms to the trades particularly the taxi trade. I've mentioned this to my line manager that we should inform owners but it seems to be the least preferred, therefore, I'm asked to source evidence to support this. I'm trying to avoid going to our legal team in case it gets fed back to my head off.

From: [REDACTED]@dft.gsi.gov.uk]
Sent: 13 February 2017 16:38
To: [REDACTED]
Subject: RE: S165/7 designated vehicles list

As we discussed I do not think there is any legal obligation to inform taxi and PHV owners that their vehicles are being included on a list, however not doing so could potentially result in the criminalisation of drivers without their knowledge, which might put the authority at risk of legal challenge. Owners have a right of appeal against their vehicle being included on a designated list, and clearly they can only exercise that right if they know that this has happened.

Either way, if you are unsure you should seek your own legal advice.

From: [redacted]@tfl.gov.uk
Sent: 13 February 2017 16:01
To: [redacted]@dft.gsi.gov.uk
Subject: S165/7 designated vehicles list

Last Friday we spoke briefly regarding having a list of designated vehicles under s167 of the EA 2010. On that, do you know if anywhere under the legislation that says licensing authorities have the duty to inform owners of those vehicles that they are on this list but they have the right to appeal. I'm sure I've read it somewhere but I can't remember where and can't find it under the legislation. Do you know where it could be, or have I just made that up?

Thanks,

[redacted signature block]

[redacted contact information]



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