

Mrs Mandy Beever
Licensing Manager
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Our Ref: CW/ST
Your Ref:
Date: 7 February 2022
Please ask for: Chris Woodrow

**Sent by email only to
mandy.beever@shropshire.gov.uk**

Dear Mrs Beever,

Objection of Madison Park Ltd trading as Shrewsbury Cars and Shrewsbury Taxis to Private Hire and Hackney Carriage licence fees

I represent Madison Park Limited which trades as Shrewsbury Cars and Shrewsbury Taxis of Offices 9-11, Hartley Business Centre, Shrewsbury SY2 5ST (hereafter referred to as 'Shrewsbury Cars' or 'my client') and hereby formally object to some of the fees specified in the Council's notice.

Please advise when objections to the fees will be considered by the Strategic Licensing Committee and whether it will be possible for me or my client to address the Committee in person or virtually, if a hybrid meeting can be facilitated.

My client objects to the following fees:

Private Hire Operator Licence Fees

My client notes that the Council has not changed / increased the fee for a new 5-year licence, despite increasing all other private hire operator licence fees.

My client had thought this might have been a typographical error in the notice, but you advised this was not the case.

If it is necessary to increase operator licence fees generally, as the Council seems to have decided, there is no rational justification for such increase not also applying to the fee for a new 5-year operator licence and, if there is such a justification, it has not been stated.

On the other hand, if it is not necessary to increase the fee for a new 5-year operator licence, it would seem also to be true that there is no rational justification for all other operator fees to be increased.

Website:

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Proprietor:

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The Strategic Licensing Committee is respectfully asked to reconsider the correctness and fairness of its inconsistent approach to the setting of private hire operator fees and to either keep all fees at their current level or to re-calculate any necessary increases in relation to all private hire operator licence fees and to re-advertise them for public consideration and, if necessary, further objection.

Vehicle licence transfer fee

My client objects to the proposed fees of £183.00 and £175.00 in respect of licence transfer fees for private hire and hackney carriage vehicles respectively, on the grounds that there is no statutory power to charge such a fee.

A council may charge “for the grant” of a driver’s licence pursuant to section 53(2) of the Local Government (Miscellaneous Provisions) Act 1976 and may charge “for the grant” of vehicle and operator licences pursuant to section 70(1) of the Act. There is no other power to charge a licence fee.

As the Council is itself a ‘creature of statute’, it can only do that which it is expressly permitted by statute to do. The Council should, therefore, desist from acting unlawfully.

That having been said, my client acknowledges that the Council is entitled to recover by the fees it charges for the grant of vehicle licences its costs in connection with vehicle transfer applications / notifications.

In the circumstances, the Council should either accept that it cannot lawfully recover its costs or re-calculate the fees in relation to the grant of a vehicle licence and then re-advertise any resulting increase in those fees.

My client recognises and acknowledges that, in its current approach, the Council is doing its best to be fair to the trade generally, in that only those persons who transfer vehicles pay for that service, rather than all vehicle licence holders sharing a share of the burden of those total costs, but that is no different to a vehicle licence holder who pays towards vehicle compliance checks and enforcement action when they are not themselves subjected to such actions.

If I can be of further assistance, please do not hesitate to contact me.

Yours sincerely,



Christopher Woodrow

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Licensing Consultant

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