

CEX Ref 2059

John Kelly
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19th March 2009

Borough Solicitor
The Guildhall
Northampton
NN1 1DE

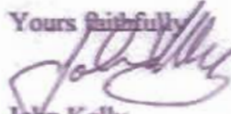
Ref: Increases to existing Hackney carriage & Private hire Licensing fees

Dear Sir

Please accept this letter as my formal objection to the increased licensing fees resolved by the licensing committee on 4th November 2008 and approved by the cabinet on 25th February 2009.

I believe that it is important for me as a council tax payer to not only make known my objections but also to provide possible alternatives that will if implemented produce cost savings for Northampton Borough Council by reducing the Licensing administration work load for Hackney carriages and Private hire vehicle licensing by 50% thus benefitting all parties involved and ultimately increase the efficiency of the Licensing department.

Yours faithfully



John Kelly
Hackney carriage driver (Badge 141/Plate 67)

LEGAL SECTION
RECEIVED

23 MAR 2009

Liz S

Objections

- That the decision by Northampton Borough Council to increase Hackney & Private hire licensing fees by 13.33% for vehicles, by 13.75% for drivers and by up to 400% for operators is excessive and is not at all reflective of the true costs of providing the licensing functions involved.
- That the decisions of both the Licensing Committee to approve the increases and that of the Cabinet to ratify them is unlawful, since neither of these two committees were able to base their decisions on verifiable documented evidence of increased licensing costs, something that was also notably absent in the reports pack that each Committee member would have relied on as an essential aid in their decision making process. In fact this omission is due entirely to the absence of any dedicated Hackney & Private hire accounts which the council are obliged to maintain since the disbursement of licensing fees is effectively ring fenced by the wording of the Local Government (miscellaneous provisions) Act 1976/part 2/section 70/subsection 1.
Both committees relying heavily on anecdotal and thus unverifiable information from the Licensing team which is we believe in conflict with the council's own policy of adherence to the legal precedent that Local Government decision making should always be "Wednesbury Reasonable"
- That the veracity of the claim of increased licensing and enforcement costs must be called into question since the enforcement costs of multi-agency checks claimed in FOI disclosure NBC211-1016, which asserts that between 2002/3 - 2008/9 the frequency of such checks were 4 per year, indicating a total of 24 checks for the 6 year period, when in fact the actual number of checks to date is just 10 with an actual cost to the licensing budget of just £6,250.00, instead of the claimed cost in the disclosure of £17,200.00. It is also worthy of note that overall licensing staff costs in the period 2002 - 2007 rose by a staggering 170% equal to a year on year average increase for total staff salaries of 34%. How can this be when the average of salary increments for council staff per year up to 2007 stood at just 2.5% p.a.?
How can such inflation busting figures be justified?
- That the present structure of vehicle licensing fees for Hackney & Private hire is historically unlawful as a result of actions by Northampton Borough Council when they removed the vehicle inspection component from the vehicle licence fee in 1997 without reducing the fee to reflect an administrative cost saving that had previously been met by the licence fee in full. Also that the council in that same time period changed the terms of the licence from 12 months to a 6 month period thus increasing vehicle licensing revenue by 100% from £70 for a 12 month licence to £140 for two 6 month license's, this increase was never published in the local press as required by the 1976 Act to allow for public objections and as such was unlawful and has resulted in the generation of a huge and unjustified surplus of Taxi licensing revenue over related costs that has persisted to the present day.

Recommendations

1. That Licensing fees for Hackney carriage & Private hire vehicle, drivers & operators be reassessed to reflect the true cost of this function including the savings achieved by the action of factoring out vehicle testing to an independent test facility & by relinquishing responsibility for the provision & maintenance of Taxi ranks(Highways department) to the County Council.

licensing administration costs) while retaining the current vehicle testing system.

3. That the basis for the setting of all future licence fees should be the actual cost of provision for this licensing function, not the ability to pay or the unrelated inflationary indicators of the Retail Price Index.
4. That in order to keep costs in check, the council consider the reintroduction of a cap on Hackney carriage vehicle numbers as this will by curtailing the year on year increases in vehicles applying for licenses, stabilise this burden on licensing duties and their ongoing costs, this will as a result free up licensing staff for other licensing duties thus increasing departmental efficiency by speeding up the application process.
5. That any future decision to remove such a cap on Hackney carriage vehicle numbers should be dependent on the proven results of a survey of unmet demand and by full consultation with the Hackney carriage trade.



CL Ref 2044

16-3-09

25 Smitherway,
Bugbrooke,
Northampton,
NN7 3PT.

Dear Sir or Madam,

I'm writing to voice my complaint over the excessive rises proposed regarding plating, badges, police checks etc for private hire/taxi cars and drivers.

You might say to me that the rises over the last few years haven't been particularly high so now a significant rise is due, but this would be totally untrue as in fact the council has taken far more revenue by licensing many more cars and drivers. The existing drivers have paid a high price already for this in a covert manner, as more cars and drivers means that the work is spread more thinly hence much lower takings.

Taxi drivers are already suffering financial hardship, in part due to the reasons outlined above and also, like many others, due to the recession. Being self-employed taxi drivers get no sick pay, holiday pay, or pension and they have less benefit entitlement should they find themselves unable to work and if transferred into an hourly rate many would be working for below the minimum wage after all the overheads are taken into consideration such as council fees and tests, fuel, maintenance, insurance, equipment rental and more. For these reasons we cannot afford to be screwed down any more where money is concerned.

Over recent years the general standard of taxi and private hire vehicles has drastically improved with many more modern and well maintained vehicles on the road, but maintaining this high standard could be more difficult as there is no financial leeway left to accommodate the price rises so in these increasingly difficult financial times I ask you not to milk our already struggling industry still further, and why should we bear the brunt of the economic mis-management that has taken place at the Borough Council?

Shaun Walton.

Shaun Walton

