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From: Mehboob Kassam

Sent: 04 June 2009 14:46

To: 'Alan Fidler'

Subject: RE: Cabinet 20 05 09 - Fees and charges for licensing of taxis etc.

Dear Mr Fidler

In response to your undermentioned e-mail most of which is a repetition of previous objections.

NBC would respond as follows:

1) You have raised issue of our interpretation of Section 70 LG(MP) Act 1976.

We have considered this point again. The paragraphs referred to above in terms of the active dates and contained in the Cabinet report dated 20 May 2009 are an accurate summation of Section 70. The Council has complied with this section by advertising the proposed increase in fees in the Chron & Echo on 6 March 2009. The above section requires a period of 28 days for objections. The first proposed date of 1 May 2009 allowed for the period of objections (which expired 3 April 2009)

The Act then allows for fees if objections received but rejected to take effect on a new date within 2 months of the original date (1 May 2009). Therefore the new fees if agreed by Cabinet must come in to effect no later than 1 July 2009.

2) Your question of "Why is Cabinet considering the objections when they have been rejected by the Council"

This is inaccurate. Council has not rejected the objections. The purpose of this Cabinet meeting is to consider them now and make a determination as to whether or not they should be accepted.

3) In terms of the Rogers Review point and your assertion that taxi fees are subsidising liquor licensing.

Again this is inaccurate. The licensing functions and costs for taxis and liquor are split 60/40 in favour of taxi licences in terms of time spent dealing with administrative issues. The total fee income received for the licensing function as a whole has been divided accordingly and hence your point that taxi fees are subsidising liquor licensing are misconceived.

4) Your point that the Council should account separately for taxi licensing in order to comply with Section 70 Local Government (Miscellaneous Provisions) Act 1976 has been considered by the Council, however your assertion is wrong as there is no statutory requirement to maintain separate accounts for taxi licence activities.

5) Comparison with other authority fee levels point raised by you, please note that the data provided was for information purposes only and it is normal practice to investigate and make comparisons with similar local authorities.

6) Compliance with the 1976 Act.

We refer you to the Cabinet document dated 20 May 2009 which sets out clearly the income and expenditure figures which justify the proposed increase in fees and from which it can be seen that no profit would be derived.

I trust the above answers your queries Mr Fidler.

I understand that Cabinet is set to reconvene on 10 June 2009 at 6 pm to continue the adjourned meeting on 20 May 2009.

The addendum Cabinet report is to be published tomorrow and is accessible on the Internet.

Mehboob Kassam
Principal Litigation Solicitor
DD 01604 837043

-----Original Message-----

From: Alan Fidler [mailto:alan.fidler@ssaib.org]

Sent: 02 June 2009 16:54

To: Mehboob Kassam

Subject: Cabinet 20 05 09 - Fees and charges for licensing of taxis etc.

Dear Mr. Kassam,

Further to our conversation on Friday, 29th May, 2009 I attach a summary of the key points of concern to the associations in respect of the progress of this matter over the past months and our

opinion with regard to the requirements of Section 70 of the Act.

Are you yet able to advise when this matter is to be taken before the Cabinet?

Regards,

For and on behalf of the Northampton Private Hire Association
and Northampton Hackney Carriage Association.

Alan Fidler