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Mr Dean Harris
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Our Ref:

Your Ref:

Please Contact: Philip Bayliss

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Date: 2nd January 2013

E-mail: pbayliss@northampton.gov.uk

Dear Mr Harris

Re: Increase to existing Hackney Carriage & Private Hire Licensing Fees

I write with reference to the above and further to your letter dated 24th December 2013 raising objections to the increase in fees relating to Hackney Carriages and Private Hire drivers, vehicles and operators.

Your reference to the Local Authority holding a monopoly on the above licensing function is somewhat misleading as this is an obligation placed on the Local Authority by Central Government and as such is not dissimilar to the function undertaken by the Driver and Vehicle Licensing Agency and is similarly controlled by Primary Legislation.

The Local Authority can only levy fees designed to recover the cost of administering the service and, as can be appreciated, these costs have risen significantly during the last 4 years (2009), the last time the fees were increased. The current cost of the service is heavily subsidised by the Council Tax payer.

I believe you have notified the Enforcement Officer with regard to the existence of so-called 'rogue drivers'. We have established that in at least one case the 'operator' was not operating within the borough of Northampton and, although we were not able to take action ourselves, we passed that information to South Northamptonshire District Council and a successful prosecution ensued. Any further information provided will be investigated, although I have to emphasise that, the Licensing Department are subject to the same 'burden of proof' as any prosecuting authority.

If I can refer to your understanding of the penalties imposed by the courts, a driver Convicted of Illegally Plying for Hire (maximum fine of £2500.00) would also be prosecuted for 'driving without insurance' and as such would be subject to a maximum fine of £5000.00 plus 6-8 points on their DVLA driving licence. As a professional driver the court would tend to impose the maximum 8 points.

With regard to the Local Authority limiting the number of Private Hire drivers or vehicles it licences. The legislation prohibits the authority from restricting numbers, the Government's view is that each area will reach a 'mean' number of licensed vehicles each community can support.

I now come to the penultimate paragraph regarding your objection and can confirm that following any successful operation, whether it is an 'illegal plying for hire' ('flagging') operation or a 'multi-agency check' a press release is prepared and dispersed to all locally circulated newspapers. We have no control as to whether an individual editor will include this within their newspaper.

The licensing team also make annual visits to the various campus locations in Northampton and address all new intake students with regard to the dangers of using a vehicle not pre-booked to make their way home after a night out in the town centre.

There is a list of all drivers and vehicles licensed by the Local Authority available on the Council website.

The aim of the Council is to ensure that all Hackney and Private Hire drivers are acting lawfully, if you can provide a definitive list of those you believe to be acting illegally I will be happy to make the necessary enquiries to establish if that is the case.

For your information any objections to the increase in fees will be heard at the meeting of the Licensing Committee on 11th February 2013 at 6.00pm at the Guildhall.

Yours sincerely

P Bayliss
Senior Licensing Officer