



Licensing Committee

18 June 2014

Report Title	Hackney Carriage and Private Hire Vehicle Testing at VOSA Registered Garages	
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Recommendations:

- (i) Advise the Committee of the impact and current position regarding the use of VOSA registered garages for the testing of Hackney Carriages and Private Hire Vehicles.
- (ii) That the 12 month pilot scheme relating to testing arrangements for Hackney Carriage and Private Hire Vehicles at VOSA registered garages adopted by Licensing Committee on 17 April 2013 be made permanent.
- (iii) The payment of an approval fee to the Council for the existing garages registered be extended until 31 March 2015 and included in 2015/16 fees and charges report.

1.0 Purpose of Report

1.1 The purpose of this report is to inform the Committee on the impact of the 12 month pilot scheme relating to the:-

- Testing arrangements of Hackney Carriage and Private Hire Vehicles at Council approved VOSA registered garages.
- To seek approval from the Committee to make the pilot scheme relating to the use of VOSA registered garages for Hackney Carriage and Private Hire Vehicles permanent.
- The payment of an approval fee to the Council for the existing garages registered be extended until 31 March 2015 and included in 2015/16 fees and charges report.

2.0 Background

2.1 In the summer of 2012 the Council consulted on proposals titled 'Future Hackney Carriage Provision' age criteria for Hackney Carriages. These proposals detailed revisions to the new vehicle.

2.2 The consultation responses and subsequent detailed dialogue with the Hackney Carriage trade highlighted several additional issues, including a request that vehicle testing be opened up to private VOSA registered MOT stations.

2.3 This proposal was further discussed at both the Hackney Carriage and Private Hire Working Groups and at a meeting to which all VOSA registered MOT stations in Wolverhampton were invited.

2.4 On 17 April 2013 a report was presented to Licensing Committee outlining the options for opening up testing of Hackney Carriages and Private Hire Vehicles to private VOSA registered garages.

2.5 Following a meeting with garages and discussions with Hackney Carriages and Private Hire trades the preferred option was identified as:

“Allow any VOSA registered garage, that meets the standard specified by the Council to complete taxi mechanical safety tests – this would involve issuing an MOT certificate”.

2.6 The proposed criteria and process for VOSA garages to become an appropriate Testing Centre is detailed below:-

- Registered as a VOSA approved Test Centre for a minimum of 3 years.
- Currently considered by VOSA as a 'green' rated garage.
- Located within the administrative boundary of Wolverhampton City Council.
- The garage is available for inspection by an authorised officer of the Council at any time the garage is open to the public.

- Ownership and management of the garage must be independent of any current Wolverhampton Hackney Carriage or Private Hire vehicle proprietor or operator.
- Payment of an approval fee to the Council of £150 per year.
- Compliance with any other reasonable directive/conditions placed on the garage by the Licensing Manager.

The Council consulted with stakeholders on the proposed criteria in order to establish if the above criteria was sufficient to ensure public safety of vehicles and/or whether other safeguards should be considered.

3.0 Pilot Scheme

- 3.1 Licensing Services have been in regular contact with the garages over the initial 12 month period and only positive feedback has been received.
- 3.2 The Hackney Carriages and Private Hire trades have also given positive feedback as it has allowed them freedom of choice of the 16 garages that are now registered with the Council from across the city.
- 3.3 It should be noted that one of the garages has assisted greatly in an investigation regarding falsified MOT certification being presented to Licensing Services. This investigation is ongoing and the Council Trading Standards Service are progressing enforcement action regarding forgery and counterfeiting offences.
- 3.4 The approval fee payable to the Council by the garages was initially set at £150 per year. However, it is proposed that the approval fee paid by the 16 existing VOSA garages be extended until 31 March 2015 without further payment as costs to the Council have been minimal.
- 3.5 The fee for garages to be approved and added to the Council's list of garages for Hackney Carriage and Private Hire Vehicle testing will be subject to review and included in 2015/16 fees and charges report for consideration by Licensing Committee in 2015.

4.0 Financial Implications

- 4.1 The opening up of testing to other facilities has resulted in an overall increase in the Council's net expenditure as a result of a reduction in income over and above cost savings. This has been factored into the ongoing review of Fleet Services and Culwell Street facility and covered in further reports to Councillors [TK/05062014/W].

5.0 Legal Implications

- 5.1 Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 provides that a District Council may determine a private hire vehicle application taking into account various factors. These include being satisfied that the vehicle is in suitable mechanical condition.

- 5.2 A District Council may attach to the grant of a licence such conditions as they may consider reasonably necessary.
- 5.3 Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 provides that the proprietor of any hackney carriage or private hire vehicle licensed by a District Council shall present such private hire vehicle for inspection and testing by or on behalf of the Council within such period and at such place within the area of the Council as may by notice be reasonably required. Provided that a Council shall not require a proprietor to present the samehackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of 12 months.
- 5.4 Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 gives authorised officers of the Council and the police powers which are additional to the requirements of Section 50 and allows such officers, if on inspection they are not satisfied as to the vehicle's fitness, to require the vehicle or its taximeter to undergo a further inspection [KR/05062014/P].

6.0 Environmental Implications

- 6.1 The reduction in income from Hackney Carriage and Private Hire Vehicle testing has virtually all been offset by the reduction in charges made by the Culwell Street testing station.
- 6.2 The reduction in the number of tests carried out at Culwell Street has formed part of a review of resource requirements at the testing station.

7.0 Equalities Implications

- 7.1 There are no equalities implications arising from this report.

8.0 Schedule of Back Group Papers

- 8.1 Licensing Committee – 17/04/2013 – Hackney Carriage and Private Hire Vehicle testing at VOSA registered garages.