

LICENSING COMMITTEE – 7TH AUGUST 2018

Report of the Head of Regulatory Services

Part A

ITEM 6 REVIEW OF TAXI TESTING ARRANGEMENTS FOR HACKNEY CARRIAGE/PRIVATE HIRE TEST

Purpose of Report

The Hackney Carriage and Private Hire Licensing Policy sets out in Schedule 2 the number of taxi testing garages for the Council. It is good practice to review the schedule periodically and following advice from the Council's Procurement Team a tendering/procurement exercise will be undertaken. This report sets out the arrangements for that review.

To inform members that Licensing propose to review the taxi testing garages and that this is to be carried out through the tendering/procurement process.

Recommendation

That, following the procurement exercise, Schedule 2 of the Hackney Carriage and Private Hire Licensing Policy be amended.

Reason

To ensure that suitable and sufficient testing facilities are available within the borough for vehicles to be checked in line with the Hackney Carriage and Private Hire Licensing Policy.

Policy Justification and Previous Decisions

Schedule 2, of the Hackney Carriage and Private Hire Licensing Policy, lists the current three garages.

The Local Government (Miscellaneous Provisions) Act 1976 s 50 gives the licensing authority power to test the vehicles on a regular basis;

*'Without prejudice to the provisions of section 68 of this Act, the proprietor of any hackney carriage or of any private hire vehicle licensed by a district council shall present such hackney carriage or 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 they may by notice reasonably require'*

This section also requires any such test station to be based within the area of the Council.

Implementation Timetable including Future Decisions.

The Licensing Authority is required to give notice to the existing garages and then place an advertisement to invite tenders.

Report Implications

The following implications have been identified for this report:

Risk Management

The risks associated with the decision the Licensing Committee is asked to make and proposed actions to mitigate those risks are set out in the table below:

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
1.Failure to introduce the procurement and tendering process could result in the Council receiving complaints that the current system is not transparent and , clear.	H	M	Procurement document to be written and advertised accordingly. The businesses who have contacted the licensing section interested in the testing to be advised along with existing garages.
2. That existing garages may decide not to continue testing licensed vehicles due to the procurement process.	L	M	That neighbouring councils be approached if necessary for temporary emergency testing cover should it be required.

Financial Implications

There are no financial implications associated with this report, other than those of placing the tendering advertisement and consultation with licence holders/interested parties.

Background Papers:

Hackney Carriage and Private Hire Licensing
Policy (3rd version)

Officer(s) to contact:

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Part B

Background

1. The Hackney Carriage and Private Hire Licensing Policy at Schedule 2 lists the current three garages as;
 - Shreeve and Mardell Garage, Limehurst Avenue, Loughborough
 - R.E Mills Motor Engineers, Town Green Street, Rothley
 - ARK Motors, 38 Crossington Road, Sileby.

There were originally four garages on the Council's list, but one ceased to offer the service.

2. A satisfactory Certificate of Compliance test, from an inspection carried out by the Council's nominated garage (s), listed above, must be produced for all vehicles
3. Under normal circumstances all the vehicles the Council licence, would require an MOT, as provided under section 47 of the Road Traffic Act 1988. Under the Exemption of Motor (Test) Regulations 1981, the Council applied for an exemption for those vehicles licensed to exempt them to hold an MOT, if the vehicles have been issued with a certificate of compliance. This in turn provides a power direct to the Local Authority to test the vehicle. The Certificate of Compliance which is then issued under sections 47 and 48 of the Local Government Miscellaneous Provisions Act 1976 Act.
4. A further certificate of Compliance test must be produced every six months as part of the Councils vehicle test requirements.
5. A Certificate of Compliance pass certificate from an inspection carried out at the Council's garage(s) must be produced for all vehicles prior to submitting an application for the respective licence(s) and must be produced annually as part of the application process.
6. In addition to the annual vehicle test, the vehicle must also be mechanically tested and inspected by a Council(s) every six months. This process is referred to as acquiring a six monthly interim test.
7. The certificate of compliance covers the mechanical element, the MOT and also the requirements of the Hackney Carriage and Private Hire Licensing Policy as regards to the signage (i.e. plates, side ovals), safety requirements such as fire extinguisher, cleanliness and suitability of vehicle.
8. Whilst the cost of the compliance tests are charged directly to the drivers, because there is a financial value to the garages being on the Council's list of approved testing centres, the Council's Procurement Team have confirmed that this will still require a formal tendering process to be undertaken.
9. A formal tendering document will be prepared by the Licensing Manager, which will outline the requirements of each testing station and request the

provision of the proposed costs for drivers. Following the completion of this process the garages selected will be drawn up and included in an amended Schedule 2 of the Hackney Carriage and Private Hire Licensing Policy.