

**WYRE FOREST DISTRICT COUNCIL**

**LICENSING AND ENVIRONMENTAL COMMITTEE**

**8<sup>TH</sup> OCTOBER 2010**

**Application to change the Licence Conditions relating to Mechanical Inspection of Taxis operating within the district of Wyre Forest**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Planning and Regulatory Services
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<b>APPENDICES:</b>	Appendix 1 – Hackney Carriage Vehicle Licence Conditions adopted by Council 28/11/2007 Appendix 2 – Private Hire Vehicle Licence Conditions adopted by Council 28/11/2007

**1. PURPOSE OF REPORT**

- 1.1 To consider an application from the Taxi Trade to reduce the number of annual mechanical inspections required by Hackney Carriages / Private Hire Vehicles operating within the district of Wyre Forest.

**2. RECOMMENDATION**

- 2.1 **The Committee is asked to DECIDE whether or not:**

**A period of consultation should commence with Stakeholders, to establish if the Council should change its policy to reduce the number of mechanical inspections required for Hackney Carriage and Private Hire vehicles operating within the district of Wyre Forest.**

**3. BACKGROUND**

- 3.1 The rationale of the Taxi Policy operating in Wyre Forest is to ensure that the public have access to passenger carrying vehicles that are operated to the highest standards of public safety.
- 3.2 Hackney Carriages and Private Hire Vehicles licensed within the Wyre Forest district are required to be tested and inspected for mechanical fitness three times per year at the Council's Testing Station in Green Street, Kidderminster, according to the Conditions of Licence adopted by the Council on the 28<sup>th</sup> November 2007.

(Hackney Carriage Conditions at Appendix 1, and Private Hire Conditions at Appendix 2.)

- These regular mechanical inspections are separate from the National Vehicle and Operator Services Agency (V.O.S.A.) M.O.T test. Inspection.

**4. KEY ISSUES**

4.1 The Wyre Forest Taxi Trade Liaison Group met on the 1<sup>st</sup> September 2010 and members were informed that the Councils' existing policy of requiring every taxi to be tested every four months, was causing operational problems both to the Taxi Trade and the Councils' garage, in keeping time with the schedule of work.

**4.2 Proposal**

- It was proposed by the Taxi trade that the number of mechanical tests / inspections should be reduced, to two per year, - plus an M.O.T test.
- Such arrangements would be consistent with all of the other Councils working within Worcestershire Regulatory Services.
- Would provide a system which would be more efficient for the Councils testing station.
- Would still provide a robust standard of mechanical fitness.
- Reduce the trade operating costs.

**4.3 The number of Licensed Vehicles in Wyre Forest**

- One hundred and four hackney carriages.
- Twenty-one private hire vehicles.
- Vehicles have to be less than two years of age prior to Licensing for the first time as a Taxi.
- Saloon cars have to leave the fleet at the 7<sup>th</sup> anniversary of original vehicle registration.
- London Style Taxis have to leave the fleet at 10 years.

4.4 **The Wyre Forest District Council Testing Station**

- The garage at Green Street is now an official M.O.T. Testing Station on behalf of V.O.S.A. and is able to manage appointments for the testing of vehicles.
- The M.O.T. fee can be fixed at a reduced fee level, recommended at £10.00. This may be attractive to the Taxi Trade.
- Taxi owners will have the opportunity of re-presenting vehicles on any day to ensure that they are operational.

5. **FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications arising from this report.

6. **LEGAL AND POLICY IMPLICATIONS**

- 6.1 Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 states:-

*“Without prejudice to the provisions of Section 68 of this Act, the proprietor of any hackney carriage or 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 reasonable require:*

*Provided that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.”*

7. **RISK MANAGEMENT**

- 7.1 There are no risk management issues arising from this report.

8. **EQUALITY IMPACT ASSESSMENT**

- 8.1 There are no issues relating to an Equality Impact Assessment arising from this report.

9. **CONCLUSION**

- 9.1 Officers recognise the difficulties experienced by the trade and the Council garage and are not opposed to a change in testing / inspection policy.

9.2 The proposed changes to tests per year will be:

- To accord with the other districts operating within Worcestershire Regulatory Services.
- The recommended period of public consultation is 12 weeks.
- Views need to be obtained from all stakeholders in order that a consolidated report can be made to Council.

**10. CONSULTEES**

10.1 Director of Legal and Corporate Services.

**11. BACKGROUND PAPERS**

11.1 None.