

**WYRE FOREST DISTRICT COUNCIL**

**LICENSING AND ENVIRONMENTAL COMMITTEE**

**21<sup>st</sup> April 2011**

**Hackney Carriage and Private Hire Vehicle Testing**

<b>OPEN</b>	
<b>DIRECTOR:</b>	Director of Worcestershire Regulatory Services (on behalf of Wyre Forest District Council)
<b>CONTACT OFFICER:</b>	Niall McMenamin – 01684 862216 Senior Licensing Practitioner Worcestershire Regulatory Services niall.mcmenamin@malvern hills.gov.uk Mark Kay – Ext. 2580 Licensing Manager Worcestershire Regulatory Services mark.kay@wyreforestdc.gov.uk
<b>APPENDICES:</b>	Appendix 1 - Consultation responses.

**1. PURPOSE OF REPORT**

- 1.1 To consider a proposed change to the current licensing conditions relating to the number of annual mechanical inspections of Taxis operating within the District of Wyre Forest.

**2. RECOMMENDATION**

**The Committee is asked to RECOMMEND to Council:**

- 2.1 To change the current system of mechanical Taxi inspections from the requirement to have 3 annual inspections carried out by the Council's testing station at Green Street and an MOT carried out by an external testing station to 2 annual inspections and an MOT test all carried out by the Council's testing station.**

**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 which 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. This is as provided by the Conditions of Licence adopted by the Council on the 28<sup>th</sup> November 2007.

- 3.3 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 Liaison group met on the 1<sup>st</sup> September 2010, and members were informed that the Council's existing policy of requiring every taxi to be tested every four months, was causing operational problems both to the taxi trade and the Council's testing station, in keeping time with the schedule of work.
- 4.2 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.
- 4.3 Such arrangements would be consistent with all of the other Councils working within Worcestershire Regulatory Services and would provide a system which would be more efficient for the Council's own testing station. The proposed system would still provide a robust standard of mechanical fitness and would help to reduce the trade's operating costs.
- 4.4 The number of licensed Vehicles in Wyre Forest at present are:
- 104 Hackney Carriages
  - 21 Private Hire vehicles.
- 4.5 The Wyre Forest District Council testing station 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.
- 4.6 The M.O.T can be fixed at a reduced fee level, recommended at £10, which may be attractive to the taxi trade. Furthermore taxi owners will have the opportunity of re-presenting vehicles on any day to ensure that they are operational.

**5. FINANCIAL IMPLICATIONS**

- 5.1 With the current proposal there will be no loss of licensing income to Wyre Forest District Council as the annual fee for licensing the vehicle will remain the same. It will further result in additional income to the Council's own testing station from the M.O.T. fees and the taxi trade will benefit from not having pay for an external M.O.T test.

**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 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 direct risks involved as a result of this report.

**8. EQUALITY IMPACT ASSESSMENT**

- 8.1 This report does not give rise to any equality impact issues.

**9. CONCLUSION**

- 9.1 This proposed system of vehicle testing will result in Wyre Forest licensed Hackney Carriage and Private Hire vehicles still being seen by the Council’s testing station three times per year, by way of two mechanical inspection tests and an M.O.T test, furthermore there will be no loss of licensing income to the Council.

- 9.3 This proposal has received support from both the members of the Wyre Forest Taxi Liaison Group and also from members of the taxi trade, as shown from the responses of the consultation exercise undertaken with current vehicle proprietors.

- 9.4 This proposal is consistent with all of the other Councils working within Worcestershire Regulatory Services.

**10. CONSULTEES**

- 10.1 Director of Legal & Corporate Services.  
10.2 Chief Executive.

**11. BACKGROUND PAPERS**

- 11.1 Consultation responses.