



# Walsall Council

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## REPORT OF THE HEAD OF PUBLIC PROTECTION

### TO A MEETING OF THE LICENSING AND SAFETY COMMITTEE

WEDNESDAY 13<sup>TH</sup> SEPTEMBER 2006

### REPORT ON TESTING OF PRIVATE HIRE AND HACKNEY CARRIAGE VEHICLES

#### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is for Members to consider a reduction in the number of tests private hire and hackney carriage vehicles undergo each year.

#### **2. RECOMMENDATION**

- 2.1 The Committee is recommended to approve the reduction in the number of tests on the licensed vehicles as set out in the Background to the report.

#### **3. FINANCIAL IMPLICATIONS**

- 3.1 Within Budget: Yes.
- 3.2 The cost of any appeal to a Magistrates Court by any person aggrieved by the decision of the Council in respect of conditions set by the Authority as permitted under the Legislation.

#### **4. POLICY IMPLICATIONS**

- 4.1 None arising from this report.

#### **5. LEGAL IMPLICATIONS**

- 5.1 Legal Services consulted: Yes.
- 5.2 The Local Government (Miscellaneous Provisions) Act 1976 governs the issue and control of licences for private hire and hackney carriage vehicles, drivers and operators.

- 5.3 Section 50 (1) of the Act permits the Authority to require operators to submit their vehicles for inspection on no more than 3 occasions in any twelve months.

## **6. EQUAL OPPORTUNITIES**

- 6.1 None arising from this report.

## **7. ENVIRONMENTAL IMPACT**

- 7.1 Conditions attached to the grant of any licence under the Act are made in order to make members of the public feel safe whilst travelling in either private hire or hackney carriage vehicles.

- 7.1 The Testing of the vehicles on a regular basis ensures a safe, secure, clean and environmentally supportive transport system.

## **8. BACKGROUND**

- 8.1 The Council has for many years, following very high test failure figures for private hire and hackney carriage vehicles, required all vehicles over 3 years of age at first registration to undergo an annual MOT test and two other intermediate tests, so that a test is carried out every 4 months on each vehicle.

- 8.2 The failure rate on the fleet is at the moment around 40%.

- 8.3 Monitoring by the Council's Garage Staff shows minor ailments being the main reason for failing inspection. These minor problems are items such as brake Lights, headlamp adjustment, emissions.

- 8.4 Following presentation by the Trade and consultation with the garage a request was made at the Liaison Group meeting that the number of tests for vehicles over 3 years of age be reduced to two tests per year.

- 8.5 After discussion Members voted in favour of this report being presented to Committee.

- 8.6 The reduction in tests would not detract from the quality of the vehicles due to the extra requirements in the new testing procedure.

- 8.7 Members will be aware of the reports in front of them concerning amendments to the conditions, changes in the testing procedures and the Service Level Agreement with the Garage.

- 8.8 One of the main changes is the more stringent testing of the vehicles each time they are presented for test. Each vehicle will undergo a full MOT and other checks (**see appendix A in report on Proposed Changes to Licensing and Testing of Vehicles**) aligned to the fitness of the vehicle to be licensed for private hire or hackney carriage work.

- 8.9 The facility for the extra test would still be available to the Authority and it could be used on a random basis to 'cold call' on operators and check vehicles either on site or during road checks.
- 8.10 If Committee are mindful to agree the reduction the three reports will be tailored to a common date for them to be implemented.
- 8.11 I would also recommend that if Members are of a mind to agree the reduction in the number of tests at the Garage then consider it being approved for a period of two years and monitored with a recommendation that a report comes back to this Committee on the outcome of the testing results showing failure rate and any associated problems.