

# LICENSING

No Specific Ward Relevance

## Committee

25th January 2010

### VEHICLE SAFETY INSPECTIONS /IN-HOUSE INSPECTIONS

(Report of the Head of Environment)

#### 1. Summary of Proposals

It is recommended that vehicle safety inspections are conducted in-house on a 6 monthly basis; irrespective of the age of the vehicle. A new post of vehicle tester be created with authorised powers to suspend vehicles if necessary in consultation with the designated licensing officer of the service, in addition the National Standards for the testing of vehicles should be adopted to provide vehicle testers with clear and set inspection guidelines; incorporating the minor changes to meet local concerns as proposed by officers.

#### 2. Recommendations

The Committee is asked to **RECOMMEND** that

- 1) **Vehicle testing to be carried out at 6 monthly intervals.**
- 2) **Hackney Carriage and Private Hire Vehicle Inspection testing be brought back in house to ensure vehicle standards.**
- 3) **A new post of Vehicle Inspection Engineer be created to sit within the Licensing Team, stationed at Crossgates Depot to carry out vehicle inspection tests, checks on accident damaged vehicles and other inspection duties as necessary.**
- 4) **Introduction of Hackney Carriage and Private Hire Vehicle Inspection test fee of £50.00; which will be looked at annually as part of fees and charges.**
- 5) **National Inspection standards for Hackney Carriage and Private Hire Vehicles be adopted.**
- 6) **All Vehicle Engineers at Crossgates be authorised to suspend Hackney Carriage and Private Hire Vehicles in consultation with the designated Officer in Licensing those vehicles found to be not up to MOT/Vehicle testing standards.**

7) **Vehicle conversions be refused without SVA/IVA type approval from VOSA as from 1<sup>st</sup> April 2010.**

3. **Financial, Legal, Policy Risk and Sustainability Implications**

Financial

3.1 The cost of re-introducing in house 6 monthly vehicle inspection testing for Hackney Carriage and Private Hire Vehicles would be met entirely by revenue received from licence fees. Adopting this method would place no financial burden on the Council.

3.2 Table of proposed charges:

Vehicle Inspection test	£50.00
MOT	£54.00
Vehicle Inspection test + MOT	£64.00

Legal

3.3 The Local Government (Miscellaneous Provisions) Act 1976 enables District Councils to make conditions in respect of Hackney Carriages Section 47 (1) and Private Hire Vehicles Section 48 (2). The Council's conditions require vehicles to undergo an inspection by an authorised garage.

3.4 The Local Authority has powers under Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 to require Vehicle Inspections on up to three occasions per year.

Policy

3.5 The Council has a duty to ensure the safety of the travelling public and do it all it can to ensure that any Hackney Carriage and Private Hire Vehicles licensed by the Authority are fit for the purpose of carrying passengers for hire and reward.

Risk

3.6 Public safety is the primary objective in the regulation and licensing of Hackney Carriage and Private Hire vehicles and vehicle examinations should be unbiased and sufficiently rigorous so as to ensure that vehicles are operated and maintained to a high standard.

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### Sustainability / Environmental

3.7 None.

#### **Report**

#### **4. Background**

4.1 Following a Best Value Inspection and report in 2003 which recommended that vehicle inspections should be subject to external provision. Two garages applied and were subsequently authorised to conduct the inspections in 2003. The amount of authorised garages has not changed since this date and the two current garages are Hogan Brothers and Abacus Auto Services. It is understood that 99% of the Hackney Carriage and Private Hire Vehicle Fleet are using one of the garages only.

4.2 In March 2006 a report was put before the Overview and Scrutiny Committee regarding guidelines being available to garages seeking authorisation to conduct Hackney Carriage and Private Hire Vehicle Inspections. These guidelines were specifically for what the testing stations needed to provide and not related to vehicle standards.

4.3 The Local Authority has powers under Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 to require Vehicle inspections on up to three occasions per year.

#### **5. Key Issues**

5.1 The review of the vehicle inspection tests and the authorised garages has raised a possible conflict of interest in that garages doing the vehicle inspection tests and MOT's are also servicing those vehicles to enable them to get through the test.

5.2 The Licensing Team with engineers from Crossgates have conducted routine spot check inspections of vehicles licensed by the Borough. The results show that vehicle standards have dropped dramatically since vehicle inspections were outsourced.

5.3 The results from these inspections have raised serious issues of concern regarding public safety, and clearly indicate that the majority of drivers are not maintaining their vehicles to an acceptable standard throughout the current 12 month test period. (results of spot check inspections see appendix 1)

5.4 The introduction of 6 monthly testing (recommendation 1) of vehicles would make a positive contribution to ensuring that all vehicles licensed by Redditch Borough Council are maintained to

an efficient road safety standard, ensure continuous improvement and will help ensure that vehicle owners and drivers to maintain their vehicles to the appropriate standards.

- 5.5 Many of these vehicles are on the road for most of the day and night everyday of the year. It is common for the annual mileage to be up to 100,000 miles per year which is the equivalent to 10 years mileage for the average car user. For this reason and because Redditch Borough Council needs to ensure that its taxi fleet is well maintained and fit for purpose it is recommended that all vehicles regardless of age, are tested every 6 months.
- 5.6 The Local Authority has powers under Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 to require Vehicle inspections on up to three occasions per year, which is a general requirement of a number of other Authorities, including Worcester.
- 5.7 Licence fees will be continued to be paid annually with Vehicle plates only issued for a 6 month period. The additional test fee, estimated to be £50.00 will be an additional cost paid by the vehicle proprietor and is believed to be fair additional charge as it relates to the Health and Safety. In addition, it has been set to recover costs and not make a profit.
- 5.8 To ensure that these tests are conducted to the required standards and to maintain consistency and continuity, all vehicles will be tested in house at Crossgates Garage (recommendation 2).
- 5.9 Officers recognise that this will be a significant increase in workload at Crossgates Depot and could not be undertaken without an additional post of Vehicle Inspection Engineer being created (recommendation 3). The post holder should be trained to VOSA Class IV standards to work alongside other Crossgates staff to ensure continuity of testing during emergencies and staff absences.
- 5.10 The postholder would be responsible for all vehicle inspections, spot checks and accident damage re-tests and any other like duties. In agreement with The Transport and Supplies Manager at Crossgates the postholder would be responsible to Licensing but be stationed at Crossgates Depot. There is available office space at Crossgates Depot the use of which has been agreed between Management for the additional post.
- 5.11 The cost of this additional post will be entirely met from vehicle testing fees. For cost analysis please see appendix 2
- 5.12 It is recommended by Officers that Redditch Borough Council adopts the National Inspection Standards (appendix 3 and

recommendation 4); incorporating the minor changes suggested by Officers (appendix 4 refers) for Hackney Carriage and Private Hire Vehicles; which has been written by the Technical Officer Group in conjunction with the Public Authority Transport Network, the Freight Transport Association and endorsed by VOSA.

- 5.13 This document will give vehicle inspection engineers clear and set guidelines for the testing of Hackney Carriage and Private Hire Vehicles. It sets down what constitutes a failure and with the amendments made by Officers when Engineers can give 14 days to the vehicle owner to correct a fault. E.g. not carrying a fire extinguisher.
- 5.14 Following the adoption of the National Standards for vehicle inspections it is recommended that Vehicle testing engineers at Crossgates Depot be authorised to suspend vehicles (recommendation 5) in consultation with the designated Officer or Head of Service any vehicle which fails the vehicle inspection test.
- 5.15 The functions of the new post will be covered by the mechanics at Crossgates Depot during emergencies and staff absences such as leave or sickness. The mechanics will also be authorised to suspend vehicles in consultation with designated Licensing Officers or responsible Manager of Service.
- 5.16 The current regime for testing vehicles does not encompass this ability and it is recognised that some vehicles that are tested prior to their licence expiry could and do fail the inspection test; but because their licence has not expired owners continue to work these vehicles whilst awaiting vehicle parts for instance. This is considered by officers to be a dangerous practice. This new system of authorised vehicle engineers should ensure this does not happen in future.
- 5.17 Vehicles which have been converted to carry passengers or had their seating capacity reduced in order to get a licence for Private Hire must have an SVA/IVA (Single Vehicle Approval/Individual Vehicle Approval) test carried out (recommendation 6). This safety test includes checks on the load impact during accident, any tracking fitted to the floor to enable vehicles to carry extra seats or wheelchairs and seatbelts.
- 5.18 Redditch Taxi Association has been consulted during the preparation of this report between 1<sup>st</sup> October 2009 and 31<sup>st</sup> December 2009. See appendix 5 for their comments.

### 6. Other Implications

- Asset Management - Additional post holder to be housed at Crossgates in available office space.
- Community Safety - Vehicle inspection standards have a direct impact of the safety of the travelling public.
- Human Resources - Additional post to be created to carry out vehicle inspection tests and spot checks.
- Social Exclusion - Taxis are often used by people who do not have their own vehicles or who are vulnerable e.g. are elderly or have a disability and Redditch Borough Council has a duty to ensure that they are safe.

### 7. Lessons Learnt

- 7.1 The safety of the travelling public is paramount and ensuring vehicle standards are maintained is crucial to that role. The outsourcing of vehicle inspection tests to authorised garages whilst giving vehicle proprietors a choice of garages has led to a differing in the interpretation of the standards set by the Council. No written guidance has previously been given to garages and vehicle testers needed to be able to decide the vehicles ability to remain safe for the foreseen licence period (12 months).
- 7.2 Redditch Borough Council has 368 licensed Hackney Carriage and Private Hire Vehicles at the moment. Vehicle spot check operations have been conducted between 26<sup>th</sup> June 2009 and 9<sup>th</sup> December 2009. A total of 103 vehicles have been examined, and 30 of those vehicles had faults so serious that the vehicles were immediately suspended. This evidence along side two VOSA evenings, one with poor results in February 2009 and a 2<sup>nd</sup> evening in early September 2009 which had much better results; are a major concern, and suggest a poor standard of vehicle maintenance and the need for the continual monitoring of these standards.

### 8. Background Papers

Overview and Scrutiny Committee Report 2006  
Background papers to spot checks  
SVA/IVA on line information by VOSA  
National Inspection Standards  
Financial Analysis of post to be created

### 9. **Consultation**

- 9.1 This report has been prepared in consultation with relevant Borough Council Officers.
- 9.2 Other consultees were the Redditch Taxi Association, its members and West Mercia Police.

### 10. **Author of Report**

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### 11. **Appendices**

- Appendix 1 - Spot Check Analysis
- Appendix 2 - Cost Analysis of post to be created
- Appendix 3 - National Inspection Standards
- Appendix 4 - Minor changes to National Standards suggested by Officers
- Appendix 5 - Redditch Taxi Association Response