

**HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING AT
CROSSGATES DEPOT**

Relevant Portfolio Holder	Councillor L Harrison
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The previous Chair of the Licensing Committee has requested that officers prepare a report for the Committee regarding the process and provision for the testing of licensed hackney carriage and private hire vehicles at the Council's Crossgates Depot.

2. RECOMMENDATIONS

- 2.1 **That the Licensing Committee note the contents of the report.**

3. KEY ISSUES

Financial Implications

- 3.1 The costs incurred in conducting inspections on licensed vehicles are met by the charging of fees to those whose vehicles are subject to inspections.

Legal Implications

- 3.2 Section 50 (1) of the Local Government (Miscellaneous Provisions) Act 1976 states that:

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

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~~_____ council within such period and at such place within the area of the council as they may by notice reasonably 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.

- 3.3 Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 states that:

Any authorised officer of the council in question or any constable shall have power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any hackney carriage or private hire vehicle licensed by a district council, or any taximeter affixed to such a vehicle, and if he is not satisfied as to the fitness of the hackney carriage or private hire vehicle or as to the accuracy of its taximeter he may by notice in writing require the proprietor of the hackney carriage or private hire vehicle to make it or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the vehicle licence until such time as such authorised officer or constable is so satisfied:

Provided that, if the authorised officer or constable is not so satisfied before the expiration of a period of two months, the said licence shall, by virtue of this section, be deemed to have been revoked and subsections (2) and (3) of section 60 of this Act shall apply with any necessary modifications.

Service / Operational Implications

- 3.4 The Council is responsible for the issuing of licences to authorise people to use vehicles as hackney carriages or private hire vehicles. Vehicles that are licensed need to be inspected to ensure that they are:
- suitable in type, size and design
 - in a suitable mechanical condition
 - safe
 - comfortable
- 3.5 The Council currently licences around 425 vehicles to be used as either a hackney carriage or private hire vehicle.

- 3.6 Since September 2011, inspections of vehicles licensed by the Council have taken place at the Council's Crossgates Depot, which is a DVSA approved MOT testing station.
- 3.7 Prior to this the inspections had been undertaken by two external approved garages. However, following serious concerns raised after spot checks on licensed vehicles undertaken in 2009, a decision was taken in January 2010 to return the inspections "in-house." This decision was ultimately implemented in September 2011.
- 3.8 Under the Council's Hackney Carriage and Private Hire Licensing Policy, vehicle inspections are required before a licence to use a vehicle as a hackney carriage or private hire vehicle is granted.
- 3.9 Standard conditions attached to all hackney carriage and private hire vehicle licences go on to say:

Subject to the condition below, the licence holder must present the vehicle for inspection within a four-week period beginning on the date six months after the licence issue date.

Where a decision has been taken by the Council to grant a licence to use a vehicle of an exceptional standard beyond the normal upper age limits set out in its hackney carriage and private hire licensing policy, the licence holder must present the vehicle for inspection within a four week period beginning on the date four months after the licence issue date and again within a four week period beginning on the date eight months after the licence issue date.

- 3.10 A further standard condition states:

The vehicle must be presented for inspection in accordance with any reasonable direction properly made by an authorised officer of the Council.

- 3.11 Vehicle examiners and staff at Crossgates Depot assist Licensing Officers to undertake ad-hoc enforcement exercises in order to enable spot-checks to be undertaken on vehicles to ensure they are mechanically safe and fit for use.
- 3.12 At the Licensing Committee meeting on 20th March 2023, the Chair of the Committee made a request that officers present a report to a future meeting of the Committee regarding the process and provision for the

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~~testing of licensed hackney carriage and private hire vehicles at the
Council's Crossgates Depot.~~

3.13 Enquiries have been made with staff at Crossgates Depot to obtain information on the appointment slots that are made available each week for hackney carriage and private hire vehicle proprietors to book in their vehicles for inspection.

3.14 There are currently 35 appointment slots made available each week with seven inspection appointments available each day (Monday to Friday) at the following times:

Full Tests: 08:30, 09:45, 11:00, 12:15, 14:00

Re-tests: 15:15 and 15:45

3.15 Staff at Crossgates Depot have advised that from 3rd July 2023, one of the re-test appointments available each day will be made available for a full test instead.

3.16 Staff at Crossgates Depot have indicated that the wait for an appointment can vary at different times of the year but in general, appointments are available within a period of ten working days from the point the vehicle proprietor contacts the Depot to book their vehicle in for an inspection.

3.17 Staff at Crossgates Depot have also provided information on the number of appointment slots that have been available but were not booked in the past six months:

January:	25
February:	20
March:	18
April:	28
May:	20
June:	22

3.18 Current fees charged to vehicle proprietors for inspection of their vehicle at Crossgates Depot are as follows:

Safety Check	£54.85
Safety Check with MOT	£54.85
Re-test (within 24 hours)	FREE
Re-test (after 24 hours)	£27.42
Hackney Carriage Meter Test	£12.00

3.19 Members are asked to note the contents of this report.

4. RISK MANAGEMENT

4.1 None

5. APPENDICES

5.1 None

AUTHOR OF REPORT

Name: Dave Etheridge – Principal Officer (Licensing)
Worcestershire Regulatory Services

E Mail: dave.etheridge@worcsregservices.gov.uk

Tel: (01905) 822799