

**LICENSING
COMMITTEE**

9th January 2012

TAXI INSPECTIONS, FEES AND ENFORCEMENT

Relevant Portfolio Holder	Councillor Juliet Brunner - Community Safety & Regulatory Services
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

Further to item 24 of the minutes of the Licensing Committee's 25th January 2010 meeting and item 12 of the minutes of the Licensing Committee's meeting on the 11th August 2011, to report back on implementation of the Service and the Fees and Charges after the initial 6 months. Three months data were available on compilation of this report and a further 6 weeks will be available at the time this report is presented.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that

- 1) the report be noted and the current regime of two vehicle tests per year for the Hackney Carriage and Private Hire Vehicle fleet be continued; and**
- 2) the fees agreed for Hackney Carriage and Private Hire Vehicle tests and retests at the Licensing Committee meeting of the 11th August 2011 be confirmed as constituting cost recovery for the service provided.**

3. KEY ISSUES

Financial Implications

- 3.1 The cost of re-introducing in house 6 monthly vehicle inspections and testing for Hackney Carriage and Private Hire Vehicles would be met entirely by revenue received from vehicle inspection fees.
- 3.2 Table 1 below at 3.18 contains details of the number of vehicle inspections free retests and charged retests over the time periods indicated in 1.1.

**LICENSING
COMMITTEE**

9th January 2012

- 3.3 Appendix 1 contains details of the original costs used to determine the fees of £50 and £25.

Legal Implications

- 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.
- 3.5 The Legal Services Manager was consulted on this report.

Service / Operational Implications

- 3.6 Members may recall the previous decision of the Licensing Committee made on 25th January 2010, which included adopting two vehicle inspection tests a year, following a series of very poor spot checks of the Hackney and Private Hire fleet.
- 3.7 It was agreed at the Licensing Committee meeting of the 11th August 2011 that the fees would be set at £50 (full test) and £25 (retest).
- 3.8 It was further agreed that a review of the two test regime and the fees and charges would be undertaken after the first 6 months of operation.
- 3.9 It was decided to bring a report to the January Committee with three to four months of data available rather than wait until the next available Licensing Committee in April as it was felt three/four months data was a reasonable indication of how the service was operating.
- 3.10 The inspection regime introduced in September has generally worked well, with little or no waiting times and a few disputes about decisions which were easily resolved. Liaison with the depot is good with regular meetings.
- 3.11 No official complaints have been received by Licensing Officers in respect of the work carried out by the depot, waiting times or any other issues.
- 3.12 Details are provided of the number of tests taken during this time period:
- a) Number of vehicles tests undertaken
 - b) Number of vehicles failing
 - c) Number of vehicles having a free re-test (within 24 hours)
 - d) Number of vehicles having a charged re-test.

**LICENSING
COMMITTEE**

9th January 2012

- 3.13 The figures provided in table 1 would indicate a 50% failure rate for vehicles presented for inspection at the garage; including some failures for serious issues such as steering and tyres.
- 3.14 An enforcement evening held on 2nd December 2011 tested 24 vehicles with 7 having delayed prohibition notices issued by VOSA and one vehicle being suspended by WRS Officers for not being fit for purpose. This would indicate a failure rate of approximately 30%. A synopsis of the evening including a breakdown of the vehicles and faults can be found at appendix 2.
- 3.15 The above figures would indicate there is still a problem with mechanical safety in relation to the Hackney Carriage and Private Hire fleet in Redditch and would appear to support the Council's decision to move to a regime which includes two vehicle tests per year.
- 3.16 Table 1 below at 3.18 contains details of the number of vehicle inspections, free retests, private and charged retests over the time periods indicated in 1.1 and from this the income over the 3 month period has been calculated as £9,100.00.
- 3.17 Original predicted income over the three month period would be £10,202.75.

3.18 Table 1

	Original Predicted Figures	Actual 3 months (Sept, Oct, Nov)
¼ of 740 Full Tests	185	175
¼ of 90 charged Re-tests	22.5	12
¼ of 37 Accident Damaged Vehicles	9.25	1
¼ of Private MOTS	51	8
Non Charged Retests	-	68

- 3.19 The above figures would indicate that the actual income verses predicted shows a deficit of £1,102.75.
- 3.20 The main reason for this is the slightly less than predicted number of full tests and it would appear that the original predicted costs are likely to be met over a full year.
- 3.21 The number of free retests is significant and wasn't accounted for in the original report. Members will recall that the introduction of a free retest within 24 hours was an amendment brought forward on the night

**LICENSING
COMMITTEE**

9th January 2012

of original meeting.

- 3.22 The number of Private MOT's is 8.
- 3.23 The figures would indicate that the predicted number of private MOT's bringing in external income to the garage is much less than expected and that there has been a large number of free re-tests which were not accounted for originally.
- 3.24 The figures provided would indicate
- a) that Redditch Borough Council was justified in introducing a regime of two tests per year as the failure rate for vehicles taking the test is approaching 50%.
 - b) Random testing has also indicated a failure rate of approaching 30% – see appendix 2.
 - c) Figures provided would indicate that the assumptions made during the original costings are broadly correct and that the £50 and £25 is resulting in cost recovery for the Council in respect of the inspection of taxis.
 - d) The number of retests not charged is significant resulting in a potential loss of income of £1,700.
- 3.25 As the testing regime is new, the full test is taking on average in excess of one hour. Re-tests are ranging from 10-15 minutes to up to an hour. We will continue to monitor these times to see if they change over time.

Customer / Equalities and Diversity Implications

- 3.26 Prior to implementation of the new vehicle inspection regime, Officers have advertised and consulted with the taxi drivers on the set fees for the vehicle inspections as required to do so by Section 70 of the Local Government (Miscellaneous Provisions) Act 1976.

4. RISK MANAGEMENT

None

5. APPENDICES

Appendix 1 Original Costings for Vehicle Inspection Tests.
Appendix 2 Vehicle Inspection Evening Results.

**LICENSING
COMMITTEE**

9th January 2012

6. BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1976
Local Byelaws
Local Conditions

AUTHOR OF REPORT

Name: Sue Garratt – Senior Licensing Practitioner.
Worcestershire Regulatory Services

E Mail: sue.garratt@worcestershire.gov.uk

Tel: (01527) 881454/881263.