

Report of	Meeting	Date
Corporate Director of Governance	Licensing and Public Safety Committee	3 February 2009

## **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 SECTION 68 TESTING OF HACKNEY CARRIAGE (HC) AND PRIVATE HIRE (PH) VEHICLES**

### **PURPOSE OF REPORT**

1. To present members with a revision to the arrangements for the testing of HC and PH vehicles.

### **RECOMMENDATION(S)**

2. Members are asked to consider the report and ask the Corporate Director of Governance implement the proposed arrangements forthwith.

### **EXECUTIVE SUMMARY OF REPORT**

3. Following the implementation of the Council's new conditions for the testing of vehicles in November 2008, and the introduction of new door signs and taxi plates in June 2008, it is now appropriate to modify those conditions for operational reasons.
4. Officers have received representations from members of the taxi trade at a recent Licensing Liaison Meeting and in response to those concerns propose to implement a thirteen month provision for the taxi test. This will allow the taxi test expiry date to better synchronise with the taxi licence expiry dates. This together with the tailoring of the licence period will, in the greater majority of cases, allow for better synchronisation of the expiry dates and improve customer service and help reduce operating costs to all parties.

### **CORPORATE PRIORITIES**

5. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	✓

### **BACKGROUND**

6. Members will recall that the HC / PH vehicle testing arrangements were considered at a meeting of the Licensing and Public Safety Committee on the 17 September 2008, which

introduced the new vehicle testing arrangements and formalised those arrangements with six testing garages. I am pleased to say those arrangements are working well and improvements in the condition of HC and PH vehicles is improving as the taxi trade have embraced the revised conditions and are presenting vehicles that meet the higher standards adopted by the Council.

7. Members will also recall that at a previous meeting of the Licensing and Safety Committee held in June 2008 the Council adopted conditions to include on the taxi plate the expiry date of the vehicle test date or the expiry date of the vehicle licence whichever came first. This clarified and enhanced transparency for the purpose of licence plate validity and enforcement.
8. The present arrangements allow for vehicle operators to synchronise the vehicle test date and the licence expiry date, however in practice operators are finding this difficult to accomplish due to a number of reasons:
  - a) This Council encourages operators to present vehicles for testing in advance of the expiry date of the current test / licence date to ensure the renewal period is met to avoid the necessity of having to apply for the grant of a licence.
  - b) Many operators are responding appropriately to the six weeks notice of the test / licence expiry and are having vehicles tested earlier, this increases the gap between the date of the expiry dates.
  - c) Historically there has always been a possibility that the vehicle test date and licence date have not been in synchronisation due to operators changing vehicles mid way through the licence period.
9. In order to address the issues which are concerns to both the Licensing Office and to the trade, Members are asked to approve the concept of a 13 month taxi test. The principle behind the concept will mirror the Vehicle Operating Standards Agency (VOSA) rules for the 13 month Ministry of Transport Test (MOT) and takes advantage of this arrangement.
10. In principle when a vehicle is presented at an approved MOT station for testing and the valid MOT certificate is produced at that time, then the new MOT certificate can be issued bearing the year to date of the original expiry date of the existing MOT, and reflects the date the vehicle was actually tested. This provision is valid up to 31 days prior to the expiry of the MOT certificate.
11. For example; an MOT expires 28 February 2009 – the car is presented on 1 February 2009 (existing MOT certificate is presented at the time of the test) the new MOT certificate is then dated 30 January to 28 February 2010 which is 13 months.
12. It is now appropriate to include this provision to the Council's testing regime for the following reasons:

That there are three taxi test elements of the taxi licensing procedure

  - a) The Council's specific conditions relating to the condition of the vehicle
  - b) The VOSA MOT to ensure the vehicles mechanical condition
  - c) The Vehicle Safety Report (VSR) which establishes that a vehicle over 3 years of age is in exceptional condition to become or remain a Chorley licensed vehicle.
13. Members are reminded that depending on a vehicles age, the vehicle may be tested up to three times per year. Common to each test is part a) and b) above, the VSR is an annual requirement for vehicles over three years old only. This gives the opportunity for the disparity of licence expiry and test expiry dates to occur up to three times per year creating

a longer gap between expiry dates. This will result in increased visits to the Council to licence vehicles and collect licence plates and increase the administration burden on the Licensing Officers.

14. Should the Council recognise the thirteen month provision as operated by VOSA and apply this to the taxi test procedure, (this will allow officers to narrow the gap between licences and vehicle test dates).
15. However it must be clear that it is the date that first expires that will always be the one assigned to the vehicle licence plate.
16. Members will be aware that for operators to be able to renew a HC / PH vehicle licence, a licence must be in force. This thirteen month provision further supports this requirement as operators will be able to better manage their testing of vehicles and licences more succinctly by allowing overlap as a 13 month taxi test will be available over a 12 month licence. Vehicle renewal applications will only be accepted up to and including the day of expiry of the licence and a vehicle must have a valid vehicle test in order to satisfy the application requirements.

### IMPLICATIONS OF REPORT

17. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	✓
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	

ANDREW DOCHERTY  
CORPORATE DIRECTOR OF GOVERNANCE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
S Culleton	5665	26/01/2009	LEGREP/2601LM1