

Report To:	LICENSING COMMITTEE
Date:	15TH JUNE 2023
Heading:	AMENDMENT TO THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY
Executive Lead Member:	DEPUTY LEADER AND EXECUTIVE LEAD MEMBER FOR STRATEGIC HOUSING AND CLIMATE CHANGE
Ward/s:	ALL
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

- 1) To note the current capacity issues at the Depot in relation to Taxi Compliance Tests.
- 2) To propose an amendment to the current Hackney Carriage and Private Hire Licensing Policy ("the Policy") to replace the 6 monthly Compliance Test requirement with the requirement for a yearly Compliance Test followed by an MOT at a 6 month interval pending a full review of the situation.
- 3) To delegate authority to the Chief Executive Officer/ Executive Director for Place to finalise the amendments to the Policy.

Recommendation(s)

The Licensing Committee is recommended to:

- a) **Approve an amendment to 6.9 of the Policy to change the examination and testing requirements for Hackney Carriage and Private Hire Vehicles from a 2 yearly Compliance Test to a yearly Compliance Test followed by an MOT after 6 months.**
- b) **To delegate authority to the Chief Executive Officer/ Executive Director for Place to approve the necessary amendments to the Policy.**

Reasons for Recommendation(s)

Since September 2022 the Council has seen a significant surge in applications for New Taxi Driver Licence, New Hackney Carriage Vehicle Licences, New Private Hire Vehicle Licences, and Private Hire Operator Licences. Under current legislation the Council cannot easily restrict the number of applications received or approved.

The surge in Vehicle applications has had a knock on effect at the Motor Transport Depot, which is currently the only Council approved Compliance Testing Station for all Ashfield District Council

licensed vehicles. Amending the Hackney Carriage & Private Hire Licensing Policy to require 1 x Compliance Test annually, and replacing the Interim Compliance Test with the requirement for an Interim MOT Certificate from a DVSA approved garage, will alleviate the current capacity issue which has led to a Compliance Test lead-in time of over 4 months, whilst at the same time ensuring safety standards are maintained.

The recommendation should it be approved, would not cause any reduction to public safety, as the MOT ensures that all vehicles remain road-worthy to a DVSA MOT standard and maintains the road safety element of the Compliance Test at a 6 monthly interval as before.

Alternative Options Considered

Do nothing: not recommended for the reasons below.

If this recommendation is not approved, the Motor Transport Depot which has already exceeded its Compliance Testing capacity, would put the Council at significant risk of failing to provide its own designated service.

Furthermore, the lead-in time for a Compliance will continue to grow, resulting in an increased delay in testing for licensed vehicles and an increased and unsustainable pressure on the Depot.

Detailed Information

Introduction

The Hackney Carriage & Private Hire Licensing Policy (attached at **Appendix One**) requires all New Vehicles to pass a Compliance Test as part of the application process. Once licensed, all vehicles are required to pass an Interim Compliance Test at six months. Vehicle Licences are granted for a 12 month period and a Compliance Test is again required at renewal. In effect a Licensed Vehicle must pass an initial Compliance Test and then a further test at 6 monthly intervals (either an interim test, or a test on each renewal of the Licence).

The Compliance Test ensures road-worthiness (to MOT standard) and adherence to the specifications and licence conditions contained within the Policy. The payment of the Vehicle Licence fee (which currently includes the 2 x Compliance Test fees at £65.00 each) is paid upfront by the applicant / licence holder.

Background

Historically, the Motor Transport Depot has been designated as the sole provider of Compliance Testing for Hackney Carriage Vehicles and Private Hire Vehicles.

A surge in New Driver applications has been seen since September 2022, with the number of licensed drivers increasing from 750 to 1650. In turn, many of these customers wish to licence a vehicle. This has led to the current capacity issues faced by the Motor Transport Depot which not only carries out Compliance Tests of licensed vehicles but also undertakes public MOT Tests and carries out the servicing and maintenance of the Councils own fleet of vehicles. The impact of the increased numbers is that the Depot is unable to provide sufficient appointments to meet demand and the waiting time for a Compliance Test is now at 4 months. Should waiting times continue to increase it simply will not be possible for Vehicle Licence holders to comply with the requirement for 6 monthly safety checks.

Requested Resolution

In light of the information provided in this report, the Licensing Committee is requested to approve the replacement of the requirement for every licensed vehicle to undergo and pass an Interim Compliance Test, with the requirement for every licensed vehicle to undergo and pass an Interim MOT Test at a DVSA approved MOT garage. Given the minor nature of the changes to the Policy required to make this change the Committee is asked to delegate final approval of the change in wording to the to the Policy to the Chief Executive/ Executive Director for Place.

It should be noted that under the current fees and charges the Compliance Test fee is currently set at £65 per test. Should the Committee approve the proposal to replace the interim test with an MOT, the overall application fee payable will be reduced by £65.00. The current maximum Government set cost of a VOSA MOT is £54.85, however many DVSA MOT garages currently offer a reduced price (examples of £30.00 are currently advertised locally) meaning that Vehicle Licence holders will not be negatively impacted financially by the change. Upon approval of this proposal by the Licensing Committee the Trade will be notified by way of electronic and written communication.

Given the historical nature of the current processes in place, and the possibility that applicant numbers could increase further in the future, a review of the current processes and requirements for the licensing of Vehicles is currently being undertaken to look at long term solutions to the capacity issues at the Depot. It is intended that a further report will be submitted to the Committee in due course.

Implications

Corporate Plan:

The Council has a duty to carry out its licensing functions in accordance with the relevant legislation and regulations in force for each of the functions detailed within this report.

By carrying out its licensing functions, the Licensing Authority will contribute towards the reduction of crime and disorder within the district, and seek to improve community safety and environmental quality, whilst in turn seeking to promote a vibrant and sustainable local economy.

Legal:

Under the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847, the Local Authority is responsible for the licensing of Hackney Carriage and Private Hire Vehicles within its district.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	The proposal may result in a potential reduction in contribution to the Licensing Reserve in the first year of £23,725.
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
The Council has a statutory duty to carry out its licensing functions.	Approved processes, procedures and policies are in force to ensure that the Licensing Authority minimises any risks it may be exposed to when carry out its licensing functions and decision making processes.

Human Resources:

There are no direct HR implications contained within this report

Environmental/Sustainability

By approving this proposal, the Council is able to set and regulate the fares for Hackney Carriage journeys within the district, ensuring the promotion, protection and sustainability of the local environment.

Equalities:

There are no diversity or equality implications contained within this report.

Other Implications:

None

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

Appendix One: Hackney Carriage & Private Hire Licensing Policy

Report Author and Contact Officer

Julian Alison
Licensing Manager
julian.alison@ashfield.gov.uk
01623 457364

Sponsoring Director

Jas Hundal
Executive Director: Place
jas.hundal@ashfield.gov.uk