

Report To:	LICENSING COMMITTEE
Date:	10TH OCTOBER 2023
Heading:	DELEGATION OF AUTHORITY TO AMEND THE HACKNEY CARRIAGE & PRIVATE HIRE LICENSING POLICY TO ACCREDIT EXTERNAL MOT STATIONS BASED WITHIN ASHFIELD TO UNDERTAKE TAXI COMPLIANCE TESTS
Executive Lead Member:	DEPUTY LEADER – OUTWARD FOCUS
Ward/s:	ALL
Key Decision:	YES
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 accredit External MOT Stations within Ashfield to undertake Taxi Compliance Tests, following the Motor Transport Depot reaching capacity again.
- 3) To delegate authority to the Chief Executive Officer/ Executive Director: 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 include the additional External MOT Testing Stations based within Ashfield to also undertake Taxi Compliance Testing**
- b) **To delegate authority to the Chief Executive Officer / Executive Director: Place to approve the necessary inclusions to the Policy.**

Reasons for Recommendation(s)

Due to the Motor Transport Depot approaching maximum Taxi Testing Compliance capacity again, and in accordance with the report regarding this matter on 15th June 2023, the Licensing Manager seeks that this Licensing Committee now approve the inclusion of a number of External MOT Stations based within Ashfield, to also undertake Taxi Compliance Testing.

Alternative Options Considered

Do nothing: not recommended for the reasons below.

If this recommendation is not approved, the Motor Transport Depot (which already exceeded its Compliance Testing capacity resulting in this Licensing Committee on 15th June 2023 delegating authority to the Chief Executive / Executive Director: Place to amend Section 6.9 of the Hackney Carriage & Private Hire Licensing Policy to remove the requirement for an Interim Taxi Compliance Test), will again reach maximum capacity due to the number of vehicles seeking to be licensed and in turn the long lead-in time for a Taxi Compliance Test, 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 if this recommendation is not approved, 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. Vehicle Licences are granted for a 12 month period and a Compliance Test is again required at renewal.

The Compliance Test ensures road-worthiness (to MOT standard) and adherence to the specifications and licence conditions contained within the Policy. The cost of a Compliance Test is £65.00

The maximum number of hours that the Motor Transport Depot can commit to Taxi Compliance Testing annually is 1175. This equates to 950 tests, and any subsequent retest required.

At the time of writing this report, the Council licences 770 vehicles, with at least another 250 new vehicles awaiting testing, and at least another 200 vehicles requiring testing ahead of the expiry of any licence in order to submit a renewal licence application.

This means that there is currently (and highly likely to increase) a 3 month lead-in time to secure a vacant Taxi Compliance Test slot, and clearly if the Motor Transport Depot can only manage 950 full tests annually, the number of vehicles licensed by the Council by the end of 2023 will significantly exceed what provisions the Motor Transport Depot can offer.

Background

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

The surge since August 2022 of New Driver (and in turn New Vehicle) applications continues (as reported to this Licensing Committee on 15th June 2023). Whilst the decision of the Licensing Committee at that time to remove the requirement for all vehicles to also undergo an Interim Six-Monthly Compliance Test at the Depot (replaced by an Interim MOT at a garage of the customers choice) partially reduced the stress on capacity at the Depot, due to the continuing numbers of vehicles requiring a Compliance Test, the lead-in time is again increasing for our customers, creating the same problems that the Council and the Taxi Trade faced prior to the June 2023 decision.

Requested Resolution

On 17th August 2023 the Licensing Manager wrote to all “Class 4” MOT Test Station within the Ashfield area, inviting them to put themselves forward to undertake Taxi Compliance Testing. A Code of Practice to be signed by the Licensing Manager and the owner of each MOT Testing Station seeking to carry out Taxi Compliance Testing was included with the invitation letter, a copy of which is attached at **Appendix Two**.

A number of External MOT Test Stations responded to this invitation, seeking to offer their services. It is prudent to accredit all of these providers (listed at **Appendix Three**) as being able to undertake Taxi Compliance Testing in order to ensure that our customers are able to obtain a Taxi Compliance Test slot without the frustration of a long lead-in time, and to ensure that the Council adhere to the legal requirement for such Compliance Tests to be carried out within the District of the Licensing Authority. Section 6.9 of the Hackney Carriage & Private Hire Licensing Policy has been amended to include these providers and is highlighted in yellow for ease of access to readers.

Not only will this solution reduce the capacity issues faced by the Motor Transport Depot, these new Testing Stations will benefit not just from the income of the £65.00 fee, but they will be able to offer their full remit of garage services to new customers, thereby helping improve the local motor trade economy.

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 test fees being received by the Motor Transport Depot.
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
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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.
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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

Appendix Two: Code of Practice

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