

CAMBRIDGE CITY COUNCIL

---

REPORT OF: Yvonne O'Donnell  
Environmental Health Manager

TO: Licensing Committee 26 January 2016

WARDS: All

**VEHICLE TESTING OF HACKNEY CARRIAGE AND PRIVATE HIRE  
VEHICLES**

---

**1 INTRODUCTION**

- 1.1 The garage and fleet service located at Mill Road Depot is to be relocated to Waterbeach to enable redevelopment of the land.
- 1.2 The report proposes that the mandatory vehicle testing for Hackney Carriage and Private Hire Vehicles continues to be undertaken by Cambridge City Council, at the new garage site once it has been relocated to Waterbeach.
- 1.3 The benefits of hackney carriage and Private Hire vehicles being tested for compliance at Cambridge City Council garage is that it provides consistency with the testing of the vehicles. It gives greater control to the authority to ensure that public safety is paramount.
- 1.4 By retaining this function within Cambridge City Council it will ensure compliance of the processes in line with policy and legislative requirements. There will be greater transparency and communication at an operational level to assist with the licensing process.

**2. RECOMMENDATIONS**

- 2.1 Members are asked to agree the principles of vehicle testing and the issuing of Certificate of Compliance (COC) for Hackney Carriage and Private Hire Vehicles to be undertaken by Cambridge City Council at the garage when it relocates to Waterbeach.

2.2 If Members agree to 2.1 above then the taxi policy is amended accordingly in paragraph 12.2 of the taxi policy

### **3. BACKGROUND**

3.1 Cambridge City Council, as the Licensing Authority, is responsible for the regulation of Hackney Carriage Vehicles (HCV) and Private Hire Vehicles (PHV) under the provisions of the Town Police Clauses Act 1847 and the Local Government Miscellaneous Provisions Act 1976.

3.2 The Local Government (Miscellaneous Provisions) Act 1976 permits a Council to require Hackney Carriage and Private Hire Vehicles to undergo tests on no more than three occasions per annum. Cambridge City Council currently licences 327 Hackney Carriage Vehicles and 168 Private Hire Vehicles [data sourced 3 December 2015] which are tested twice yearly.

3.3 The testing of licensed vehicles can be over and above what is expected for MOT tests under the Road Traffic Acts. The Council can set its own standards which can include standards of bodywork and cleanliness, for example.

3.4 Cambridge City Councils' garage is authorised by the Driver and Vehicle Standards Agency to be testing station to carry out MOTs. The City Council is authorised by the Secretary of State for the Department of Transport to undertake inspections of taxi vehicles and to issue certificates of compliance (COC) which can replace the need for MOT certificates

3.5 Council policy states (12.4) that Cambridge City Council follows the National Vehicle Standards testing method in order to ensure that the public have access to safe and well maintained Hackney Carriage and Private Hire Vehicles. The Licensing Authority are currently reviewing these standards.

3.6 Compliance with the requirements of the standards is assessed by the vehicle testers at the garage and confirmed by the issue of a certificate of compliance (COC).

3.7 Licensed vehicles that fail an authorised examination and test, and are deemed non-compliant by the vehicle tester, will result in the vehicle proprietor being invited to re-test the vehicle. If an existing licensed vehicle fails, it must not work until a compliance test has been passed.

3.8 Furthermore, Council policy sets down that proprietors of licensed vehicles are required to inform the Authority as soon as practicable or certainly within 72 hours of any accident causing “damage materially affecting the safety, performance or appearance of the Hackney Carriage or Private Hire vehicle or the comfort or convenience of persons carried therein”. Where necessary, and upon inspection by a Licensing & Enforcement Officer, these vehicles may require an additional vehicle test.

#### **4. OPTIONS**

4.1 To agree the principles that vehicle testing of hackney carriage and private hire vehicles are undertaken by Cambridge City Council at the relocated garage site.

4.2 To consider approving a list of alternative testing stations across the County

#### **5. CONSULTATION**

5.1 From 9 to 30 November 2015, consultation took place with the Taxi Trade to seek views, suggestions and obtain personal comment in order to assist the Council in shaping the way garage services are provided in order to comply with the regulation and safety standards of Taxi vehicles within Cambridge.

5.2 28 responses were received as detailed in Appendix A.

5.3 The majority of responses were in favour of continuing to use the City Council’s garage at Waterbeach.

5.4 However there was a strong view that the whole process of testing to issuing a license and a plate should be done in one location. This has been reviewed and it is important from a licensing authority prospective that the testing of the vehicles and the issuing of licenses are two very separate entities.

5.5 Officers are currently reviewing the whole process of vehicle licenses to allow for a much more streamlined process and this will be discussed with the taxi trade in due course

5.6 The City Council garage management are committed to extend the hours of opening to allow earlier and later test slots. They will also be

putting measures in place to allow for the trade to book their vehicles in directly with the garage and not via Customer Service Centre (CSC)

## **6. CONCLUSIONS**

- 6.1 Agreement of the principles will support the statutory position of Hackney Carriage and Private Hire Vehicle Licensing along with protecting public safety.
- 6.2 It is important that strict criteria are laid down in relation to testing the fitness of a vehicle if the Council is to be assured that high and consistent standards are met.
- 6.3 By retaining this function within Cambridge City Council it will ensure compliance of the processes in line with policy and legislative requirements. There will be greater transparency and communication at an operational level to assist with the licensing process.

## **7. IMPLICATIONS**

### **(a) Financial Implications**

In relation to the test administration process, currently the fee each vehicle test is £56. Based upon a twice yearly test for up to 495 vehicles (information as at 2 December 2015) this gives the Council a gross income of £55,440 per annum. This does not take into account any re-tests or repair work undertaken by the garage.

Should the City Council Garage not continue to undertake the vehicle testing, the income from test fees would potentially cease.

### **(b) Staffing Implications**

Some amount of officer time has been taken and will still be required to develop and fully implement the procedural changes following the relocation of the garage but it is expected that it will be met by existing resources.

### **(c) Equal Opportunities Implications**

Nil.

### **(d) Environmental Implications**

Nil.

### **(e) Procurement**

Nil.

(f) **Consultation and communication**

There has been formal and informal consultation on Location of vehicle testing with trade representatives of both Hackney Carriages and Private Hire Vehicles, as well as with operators, users of the service, through the Taxi Trade Forum and with the trade.

(g) **Community Safety**

In relation to the testing of hackney carriages and private hire vehicles, Section 50(1) Local Government (Miscellaneous Provisions) Act 1976 states 'Without prejudice to the provisions of section 68 of this Act, the proprietor of any hackney carriage or 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 council within such period and at such a place within the area of the council as they may by notice reasonably require'.

Section 68 Local Government (Miscellaneous Provisions) Act 1976 allows any authorised Officer of the council or any Constable to inspect and test, for the purposes of ascertaining fitness any hackney carriage licensed by a district council, if he is not satisfied as to the fitness of the vehicle. He may also require the proprietor to make his vehicle available for further inspection and testing and suspend the vehicle licence until such a time as he is satisfied.

The Council has a statutory obligation to ensure that all licensed vehicles in Cambridge City are of a safe standard for members of the public to use. All MOT test centres are approved by the Vehicle and Operator Standards Agency (VOSA).

Both the centres and the examiners must comply with strict standards.

## **APPENDICES**

Appendix A: Responses to Consultation

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

National Vehicle Inspection Standards

Cambridge City Council Hackney Carriage & Private Hire Licensing Policy

To inspect these documents contact Victoria Jameson on extension 7863.

The author and contact officer for queries on the report is Victoria Jameson on extension 7863.

Date originated: 13 January 2016

Date of last revision: 13 January 2016