

Examination and Testing of Cambridge City Licensed Hackney Carriage and Private Hire Vehicles

To:

Licensing Committee – 20th January 2025

Report by:

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Wards affected:

All

1.	Recommendations
1.1	<p>It is recommended that members of the Licensing Committee:</p> <p>Each Cambridge City licensed vehicle to be examined and tested by the Cambridge City Council examination and testing facilities located within Cambridge City Boundary.</p> <p>This would come into effect from 1st July 2025.</p> <p>The policy will be amended accordingly.</p>
2.	Purpose and reason for the report
2.1	<p>The purpose of this report is for Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy to state where licensed vehicles are examined and tested before being issued with a licence and during the life of the licence. The Licensing Authority must be satisfied that vehicles which are licensed by them are safe to operate.</p>
2.2	<p>As part of our regular policy review cycle as well as challenges received from the taxi trade regarding the location of the current testing station being outside of the district a</p>

	<p>review of this policy has taken place. During this review period a market testing exercise was carried out to see if other MOT testing stations located within Cambridge City District could be listed as options for the trade to use.</p>
3.	Options appraisal summary
3.1	<p>Option 1 is to maintain the current Policy position, keeping the current arrangement of testing vehicles at the Cambridge City Council's garage located at Waterbeach.</p> <p>This has no longer the recommended position. As was highlighted previously, this policy contravenes the Local Government (Miscellaneous Provisions) Act 1976 section 50 (1) states <i>"Without prejudice to the provisions of section 68 of this Act, the proprietor of any hackney carriage or of any private hire vehicle licensed by a district council shall present such hackney carriage or private hire vehicle for inspections and testing by or on behalf of the council within such period and at such place within the area of the council as they may by notice reasonable require...."</i></p> <p>With other options available that address previous concerns of the Committee and challenges to this approach this is no longer a necessary approach.</p>
3.2	<p>Option 2 is for Cambridge City licensed vehicles to be examined and tested by the Cambridge City Council examination and testing facilities located within Cambridge City Boundary.</p>
3.3	<p>Option 3 is for Cambridge City licensed vehicles to be examined and tested at garages that are registered MOT stations located within Cambridge City District and are listed by Cambridge City Council having met the wider specifications required,</p>
	<p>An analysis of the options 2 and 3 have been carried out as part of the review and provided in section 4.10, with a recommendation in Section 6.</p>
4.	Background and key issues
4.1	<p>The Licensing Authority must be satisfied that vehicles which are licensed by them are safe to operate.</p>

4.2	To meet this, all vehicles must have been given a certificate of compliance (COC) (which covers the requirement of a MOT) before they are licensed and again after 6 months. Vehicle licences are issued for 1 year.
4.3	Vehicles have always been tested at the Cambridge City Council garage. The current location being the garage at Waterbeach after the service moved out of the old Mill Road Depot.
4.4	As stated in 3.1, the location of the garage legally must be within Cambridge City. This was the case until 2017 when the service moved to Waterbeach.
4.5	The decision to use Cambridge City's garage in Waterbeach was taken as it provided consistency with the testing of vehicles and gave greater control to the authority to provide greatest assurance of public safety.
4.6	As current tests are carried out by Council employees, they are authorised to issue suspension notices to vehicles that do not pass the Certificate of Compliance and hand them to the driver at the end of the test. They also have the authority to remove the plates. This means that the vehicle can no longer be legally driven as a licensed vehicle. This is an immediate process that wouldn't happen if a more market-based approach was taken.
4.7	<p>Over the last two years the trade has challenged the lawfulness of using the City Council garage at Waterbeach due to the location being out of the District.</p> <p>The trade has also challenged via a Stage 2 complaint the lack of choice in which garage to use.</p>
4.8	<p>In May 2024 a market testing exercise was carried out by officers to MOT registered garages within Cambridge City to submit an expression of interest if they wanted to be considered to carry out the testing of Cambridge City Council licensed vehicles. This exercise formed part of the Policy review to determine the strength of a market approach.</p> <p>Those that submitted an interest were provided with the specifications that Cambridge City Council would need them to meet in order to carry out the testing of licensed vehicles and were assessed as part of this approach.</p> <p>The specification has been attached as Appendix A.</p>

4.9

An analysis was then carried out to support the consideration of the two options:

- a) To use Cambridge City Council Examination and Testing Facilities only
- b) To have a list of garages that meet our specification including Council garage

Criteria	City Council facilities only	List of garages meeting the specification
<p>Legality</p> <p>Must be tested within the licensing authority area</p>	<p>Will be moving into City Boundary</p>	<p>All within City Boundary</p>
<p>Ensuring Public Safety</p> <p>The standards for testing are beyond an MOT, it includes CCTV, Livery (if required) WAV (if required) signage, cleanliness , body damage, first aid and fire extinguisher, display of drivers badge , table of fares and metre (if required) – This is classed as a Certificate of Compliance (COC) .</p> <p>CCC requires a COC to be carried out every 6 months due to the milage that these vehicles do.</p> <p>South Cambs require a COC to be carried out annually.</p>	<p>As employees by CCC there is more control as to the standard of testing, integrity and close links between the two teams to ensure the necessary enforcement action is taken.</p> <p>It provides a consistent standard</p> <p>Since April 2024 Licensing Enforcement Team have inspected 89 vehicles of which there have been no suspensions for mechanical issues. 11 were non-compliant due to minor issues such as not displaying badges, fare charts, cleanliness of interior etc.</p>	<p>Any garage on the list will be inspected by Licensing Officers to ensure it meets the specification, all other Health and Safety Legislation and is a VOSA registered garage. These inspections will then be carried out once a year to ensure a consistent standard. Testers at other garages would not be allowed to issue suspension notices and would not be able to remove plates from the vehicle, so the vehicle would still be driven away from the testing station as a licensed vehicle.</p> <p>Robust systems put in place to ensure licensing officers are informed of any failures ASAP / Urgently</p>

			<p>If complaints are received, they will be investigated and if there are any concerns the garage will be removed from the list.</p> <p>South Cambs have a list of approved garages, and during a recent operation 17 Vehicles were inspected, 2 compliant, 15 non-compliant – 2 suspended for mechanical purposes (tinted windows) and 13 had advisory letters due to various issues such as not displaying badge etc.</p>
	Value for money	£73 per COC test	£54 -£75 per COC test
	Market / Fair competition	Doesn't provide choice to the trade	<p>Opens up to transparent market and gives competitive choice.</p> <p>Two expressed interest and met the requirements, albeit with some limitations for one garage.</p> <p>Meets objective to support local SMEs</p>
	Administration for Licensing Team	No change to current arrangements.	Increased time for Officers to inspect garages once a year. This would increase the taxis fees to deliver a cost neutral service.

			<p>Additional enforcement to suspend vehicles.</p> <p>Management of potential inconsistencies in service between garages.</p>
5.	Consultation, engagement and communication		
5.1	<p>27 garages within Cambridge City that were registered as a MOT Testing Station were contacted and made aware of the opportunity to submit an interest to potentially be placed on a list that could test Cambridge City Council licensed vehicles. To date two garages have expressed an interest, both garages have been inspected and meet the specification required.</p> <p>Cambridge City Council's garage has also been communicated within the period and is aware of the specification. As part of this they have made temporary provision to enable them to work within the City Boundary until the new operational HUB is open, which is purposefully set up to provide testing.</p>		
6.	Options and Recommendations		
6.1	<p>Option 1 is to maintain the current policy of testing vehicles at the Waterbeach garage. This is not recommended due to the legal requirement for testing to be within the Cambridge City boundary and wider options available.</p> <p>Option 2: Council Garage</p> <ul style="list-style-type: none"> ● Meets the legal requirement of testing within the City boundary. ● Ensures consistent testing standards and immediate enforcement of suspension notices and plate removal. ● Through market testing has established it is providing value for money ● Reduces administrative burden for the Licensing Authority. <p>Option 3: List of Garages</p> <ul style="list-style-type: none"> ● Meets the legal requirement of testing within the City boundary. 		

	<ul style="list-style-type: none"> • Offers choice to the trade and introduces market competition. • Requires annual inspections of listed garages by Licensing Officers. • Presents potential risks to public safety, as other garages would not have the authority to issue suspension notices or remove plates immediately for non-compliant vehicles. • May result in inconsistent testing standards between different garages. • May increase administration for Licensing Team. <p>Recommendation</p> <p>Following the review of options, legislative requirements, limited market interest and balance of risks, a change of Policy is recommended. One which sets out that all Cambridge City licensed vehicles be examined and tested at the Cambridge City Council examination and testing facilities located within the Cambridge City boundary.</p> <p>This change of Policy would come into effect from 1st July 2025.</p>
7.	Implications
7.1	Relevant risks
	See review in Section 4.9 which considers risks as part of the analysis
	Financial Implications
7.2	There would be no additional financial implications for the Licensing Authority from these recommendations. Should Option 3 be considered, there would be additional resource burdens placed, though they would be limited.
	Legal Implications
7.3	Legal Guidance was received from Jame Button Licensing Solicitor as below:

	<p><i>Some local authorities have their own in-house testing station, others have independent garages that they have identified as being suitable, whilst others simply accept an MOT obtained anywhere.</i></p> <p><i>The key is that you want a consistent standard applied and therefore in-house testing stations or approved garages are more likely to achieve that.</i></p>
	Equalities and socio-economic Implications
7.4	An Equality Impact Assessment is not required. There are no equality impacts with this policy, due to the hackney carriage and private hire licensed vehicle testing is still required to ensure the same outcome of safety standards and no impact on costs.
	Net Zero Carbon, Climate Change and Environmental implications
7.5	None
	Procurement Implications
7.6	For the recommended option there would be no procurement implications. Should Option 3 be considered then the development of the market testing would be continued to complete the procurement process and continue to manage the list through a formalised process.
	Community Safety Implications
7.7	See table in paragraph 4.10 above ensuring Public Safety
8.	Background documents
8.1	Local Government (Miscellaneous Provisions) Act 1976 Cambridge City Council's Hackney Carriage and Private Hire Licensing Policy Cambridge City Council's Hackney Carriage and Private Hire Licensing Handbook
9.	Appendices

9.1	Appendix A – Testing specification for garages
	To inspect the background papers or if you have a query on the report please contact Luke Catchpole, Environmental Health and Licensing Support Team Leader, 01223 457818, luke.catchpole@cambridge.gov.uk