



TAXI AND GENERAL COMMITTEE – 28TH SEPTEMBER 2022

SUBJECT: CONSULTATION RESULTS AND FUTURE PROVISION OF LICENSED VEHICLE TESTING

REPORT BY: CORPORATE DIRECTOR, ECONOMY AND ENVIRONMENT

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1. PURPOSE OF REPORT

- 1.1 To inform Members of the results of a consultation exercise with the Licensed trade on future vehicle testing arrangements of Hackney Carriages and Private Hire Vehicles.
- 1.2 For Members to consider the options for future testing provision, consultation results and views of Licensing and other stakeholders in order to determine future testing requirements.

2. SUMMARY

- 2.1 In 2021 the Caerphilly County Borough Taxi Driver Association (C.C.B.T.D.A) requested that requirements for vehicle testing for Hackney Carriages and Private Hire vehicles be changed in order to accept MOT test certificates from any approved MOT testing station rather than the current in house facility based at the Tir-y-Berth Depot. The latter currently carries out an MOT check and Compliance check on other requirements for licensed vehicles.
- 2.2 As the CCBTDA does not represent all licensees and licensed vehicle owners a consultation exercise was carried out with the whole trade to ascertain their views on current service provision and potential future options.
- 2.3 This report outlines the result of that consultation exercise, additional information on testing requirements, views of other stakeholders and implications of potential changes in order for Members to make an informed decision on future testing provision.
- 2.4 Fleet Services have been experiencing difficulties in filling vacancies for mechanics and MOT testers across the service area for some time. With ongoing pressures across the whole fleet function the service must prioritise maintenance of the Council's own fleet of vehicles which are essential for service delivery. An alternative option is therefore required for providing the "taxi" MOT licensing function for the authority.

3. RECOMMENDATIONS

- 3.1 That members consider the content of this report and determine the requirements for future testing provision for CCBC from the following options.
- a) Accepting an MOT certificate from any independent VOSA approved testing facility within CCBC with licensing officers carrying out the vehicle Compliance check if suitable facilities can be identified at Ty Penallta.
 - b) Instruct the Licensing service to ascertain the level of interest of MOT testing stations within CCBC for consideration of approved testing status and determine the required number and locations across the county borough. This would also include completion of the Council compliance test.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To ensure suitable and fit for purpose vehicle testing arrangements are provided within the county borough for ascertaining the suitability of vehicles to be licensed as Private Hire vehicles and Hackney Carriages.

5. THE REPORT

- 5.1 In 2021 the Caerphilly County Borough Taxi Driver Association (C.C.B.T.D.A) requested that requirements for vehicle testing be changed in order to accept MOT test certificates from any approved MOT testing station rather than the current in house facility based at the Tir-y-Berth Depot. The council's existing requirements are that vehicles renewing their licence or new vehicles applying for a licence must be tested at the in house CCBC depot run by Fleet Services who provide an MOT certificate and complete a CCBC Compliance check.
- 5.2 The Compliance check includes items such as presence and condition of fire extinguishers, first aid kits, exterior and interior conditions of vehicles, use of CCTV cameras, hackney carriage meters etc. This is carried out at the same time as the MOT check and included in the price of the test. The current testing station is independent as it does not carry out any work on vehicles prior to a test or before any re tests. The depot also carry out spot checks on vehicles for the Licensing service where there is a concern about the fitness or condition of particular vehicles. The depot often undertakes MOT/Compliance checks at short notice for replacement and accident damaged licensed vehicles in order to allow licensees to continue to trade.
- 5.3 There is currently only one MOT testing bay operational at the depot with a limit of four slots per day (Monday to Thursday) plus additional slots for emergencies and vehicle re-tests. The depot is open 7am to 4 pm Monday to Thursday and 3pm on a Friday. There have been several issues with the breakdown of equipment over the last year and in response Fleet Services have invested in new equipment such as emissions and brake testing machines. However the service is struggling to fill vacant posts for MOT testers / Engineering staff and with competing demands for mechanics/testers across all the fleet functions.
- 5.4 At the start of the Covid 19 pandemic in 2020, the testing facility at the depot was not open to the public / non CCBC vehicles and so as an interim measure MOT certificates were accepted from approved MOT testing stations in the short term. This may have had a bearing on the request from the trade to enable this option going forward.

5.5 A comparison of “Taxi “testing provision across the 22 authorities in Wales in 2019 provided the following information on vehicle testing arrangements in Wales.

- 11/22 -50% retain in house testing.
- 9/22 - 41% private MOT garages
- 2/22- 9 % Mix of in house & private garages

5.6 Officers have sought to establish the updated 2022 position in relation to vehicle testing arrangements in Wales and an update will be provided for members at the meeting.

5.7 Consultation Exercise

5.7.1 The consultation survey was posted on the CCBC website for completion between 19th April 2021 and 5th May 2021 and is attached for information as **Appendix A**. An email was also sent to the over 400 licensed drivers, operators and vehicle licence holders encouraging them to take part in the survey with a direct link to the survey page. The C.C.B.T.D.A were also asked to help raise awareness of the survey with their members. Paper copies of the survey were also made available.

5.7.2 Overall only 48 responses were received, these responses were from a mix of driver licence, vehicle proprietor licence holders and one private hire vehicle operator. The survey received a response rate of just 12% of consultees.

5.7.3 Responses to questions are summarised in the tables below, a full list of the comments received can be seen in the survey summary in **Appendix B**.

Are you satisfied with existing testing arrangements for hackney carriage and private hire vehicles?	
Yes 20 (48%)	No 28 (58%)
What do you consider to be the benefits of the existing testing facilities? Tick all that apply	
Independent Nature of the Testing Station	27 (66%)
Cost of MOT/Vehicle Compliance check	23 (56%)
Availability of Test slots	15 (37%)
Other (please state below)	4 (10%)
It's close Because its local Local I think we should be able to use any garage, if a car was to fail we don't have to pay an additional fee.	

How could the existing in house testing be improved?
By giving online options to book tests and to pay for the test
Being able to book online for your tests and update the equipment in the garage
More availability of test slots
Multiple testing bays, proper market prices, free retests within 10 working days
More qualified MOT technicians and more available appointments
Modernisation, 2 MOT lanes, enough slots to get a retest in on the same day

Please indicate preference for future testing provision	
Retain in house testing of licensed HC/PH vehicles	15 (31%)
Establish a list of approved testing stations to carry out MOT & Compliance check	7 (15%)
Accept MOT from any approved testing station and take vehicle to a second location to complete the Compliance test	26 (54%)

5.8 Fleet Services response

5.8.1 The results of the survey were shared with Fleet services who provided the following comments in response:-

Increased test slots / MOT testers

The service currently can only offer a maximum of 6 slots per day. The service has been unable to fill a number of vacant posts for fitters, mechanics, MOT testers which is causing pressure across the whole Fleet Service provision. This appears to be a general problem and is not limited to CCBC. This was highlighted to Senior Management as part of the on-going Fleet Review and resulted in a successful growth bid to recruit several additional Fitters. Despite the addition of a market supplement the service was still unable to recruit the required number of mechanics and MOT testers to meet service demands.

MOT waiting area

A comfortable waiting area is already provided with CCTV viewing of the testing.

MOT Parking Bays

The service has reverted to the previous bays by B5 which are clearly marked as such to keep them clear, this change also satisfies Health & Safety concerns regarding MOT customers crossing the road between moving HGV traffic.

Improvements

The service has invested in a new emissions machine and is in the process of procuring a new roller brake tester which will reduce station breakdowns.

General Comments

The authority operates one of the largest local authority fleets in Wales which includes many different types of vehicles, many of which come under the scope of HGV Operator Licensing, which has strict compliance conditions attached. There are currently 111 vehicles in this category which require a safety inspection every 4 or 6 weeks. Some of the HGV fleet are specialised vehicles such as refuse collection vehicles (RCVs), compactor semi-trailers, road sweepers and gulley tankers, all of which require specialist maintenance and equipment. In addition to the HGV fleet, there are around 480 other vehicles of various types, all of which undergo maintenance and repair in house at Tir-y-Berth Depot. Problems with recruiting suitably qualified and experienced staff despite the additional market supplement mean that the service must prioritise its core services and functions. In order to do so it must reduce the demand on qualified fitters and mechanics for other services such as MOT tests and Compliance checks on "taxi" vehicles". Despite its best intentions the depot has been unable to offer the level of service required by the taxi trade and the Licensing service and a number of recent equipment failures have exacerbated the situation. The depot will continue to provide the service short term whilst an alternative option is agreed and implemented but cannot commit to doing so in the long term.

5.9 Alternative options

5.9.1 Section 50 of the Local Government (Miscellaneous Provisions) Act 1976 allows a Council to require the testing of hackney carriages and private hire vehicles by or on behalf of the Council at such place as they reasonably give notice, for up to three occasions in a year. The Act also requires that such testing centres should be within the council's own administrative area.

5.9.2 **MOT carried out by any independent VOSA approved MOT testing station .**

If MOT's were to be accepted from any independent VOSA approved Testing station within the county borough, the authority would have to establish alternative arrangements for completing the additional compliance check to establish compliance with CCBC Vehicle conditions. If the Licensing service carried out these checks it would impact on workload of the service and a suitable covered location at Ty Penallta would be required in order to examine the vehicles safely and in inclement weather. This would result in a two stage checking process, however the compliance test could generally be combined with the issue of plates, interior badges and other documentation, if there are no issues found with the vehicle. The addition of another Licensing officer and Licensing Apprentice in the budget for 22/23 will assist in managing the increased workload. It is estimated that officers would need to carry out compliance checks on over 450 vehicles per year.

There would be a one off cost to establish a suitable covered site in which to examine vehicles at Ty Penallta but once installed costs will be limited to officer time. As stated above the compliance check will generally be completed at the same time as the issue of plates to vehicle owners and other associated paperwork.

Subject to required changes to accommodate a covered checking facility, this option would be quicker to implement and ease the demands on fleet services.

Vehicle owners would have more flexibility on where and when to get an MOT including Saturday mornings.

It is understood that a number of licensed drivers, vehicle proprietors and private hire operators may also have other business interests, in particular the operation of MOT testing facilities. In such instances, applicants or licence holders will be required to use an independent facility for the purpose of completing an MOT as part of the vehicle licensing process.

5.9.3 It is noted that the above option i.e. External MOT and separate compliance check was the favoured option of 26 out of 48 respondees during the consultation held with licence holders.

5.9.4 Whilst an MOT will assess the mechanical safety and environmental standards of a vehicle, the MOT does not incorporate checks as to the exterior appearance and interior condition and additional elements of the Council compliance such as the presence of roof domes, meters and tariff information on Hackney carriage vehicles, additionally the presence of a fire extinguisher / first aid kit and other elements for the comfort of passengers such as operational windows. The condition and appearance and ultimately passenger comfort when using licensed vehicles not only reflects on the licence holder but also the local authority issuing the licence. Therefore, the two stage 'checking' process will allow the checks and balances and general oversight by Officers of vehicles that seek or hold vehicle licenses and to address any issues should they arise.

5.9.5 The Current Council Compliance sheet detailing the matters checked during the compliance test are reproduced for Members information as **Appendix C**.

5.9.6 **MOT's accepted from a limited number of approved MOT Testing stations**

An alternative option would be to approve a number of testing stations within the council's boundaries that would be required to meet certain requirements which would be audited by the Licensing service on a regular basis. One of the requirements would be the additional compliance check and a cap on prices charged. This system is currently operated by a number of local councils. Testing stations meeting the minimum requirement could be invited to express interest for consideration of inclusion in the scheme and could also include the current in-house testing facility. Brief details of the testing standards required by another authority are listed below for information.

5.9.7 **Testing Standards**

The testing station is required:

(a) To undertake the MOT testing of hackney carriage and private hire vehicles at the request, and on behalf, of the licensing authority. The test shall be to the minimum standard prescribed by the Secretary of State for Transport and also the licensing authority's requirements contained in the current version of the Councils Hackney Carriage and Private Hire Vehicle Additional Testable Items.

(b) To retain its status as a VOSA approved ("MOT") testing station;

(c) Hold a "green rating" (low risk rating) under the DVSA Risk Assessment for MOT testing centres.

(d) To have been registered with VOSA for a minimum of 1 year.

Local authorities that use this option set a maximum fee which includes the MOT fee set by DVSA and an element for the compliance check.

The Licensing Service would also use any of the approved garages to carry out their spot checks on licensed vehicles.

5.9.8 Such a scheme would however take time to introduce and is unlikely to be implemented quick enough to reduce the pressures on fleet services. It is estimated that this option would be more labour intensive and expensive for the authority and the trade long term.

5.10 **Conclusion**

Members of the licensed trade have requested a change in testing requirements for vehicles licensed as Hackney carriages or Private Hire Vehicles. The report summarises the result of a consultation exercise with the trade, the response of Fleet Services to the consultation results and comments and information on the options for any alternative testing provision. Fleet Services have confirmed that they are no longer able to provide the MOT and Compliance checks for "Taxi" vehicles in future, so a new vehicle testing arrangements are required.

6. **ASSUMPTIONS**

6.1 No assumptions have been made or were thought necessary.

7. **SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

7.1 The report outlines a number of options for consideration of the Taxi & General Licensing Committee. Members will consider the consultation responses from the trade, comments from Fleet Services and potential options for future testing provisions. The full impact will depend on which option is chosen for future vehicle testing provision.

[Link to Integrated Impact Assessment](#)

8. **FINANCIAL IMPLICATIONS**

8.1 There will be financial implications for the authority depending on the option chosen for future provision. A move to accept any MOT testing station / list of approved testing stations would result in loss of income for Fleet services.

8.2 The loss of income is estimated to be circa £16k. Fleet currently charge £35 per test, around 400 vehicles are licenced per year, this does not include retests or spot test checks carried out per year. The £16k allows for 457 tests to be carried out per year.

8.3 The fee charged for current MOT & Compliance checks does not cover the cost of providing the service. There are potentially other costs associated with additional compliance checks on vehicles for the authority and the trade and further information is required on this. A change to an approved list of test stations could cap the price

charged and include the compliance element as well. The latter option would also require a monitoring process to be carried out by the Licensing service to ensure standardisation and consistency of approach. Additional workload/processes may add to the cost of providing the licensing function.

9. PERSONNEL IMPLICATIONS

- 9.1 As per the above any personnel impacts will depend on the chosen option for future testing arrangements. If licensing officers carry out the compliance checks this will add significantly to their workload as there are around 450 Vehicles that would require checking each year. The service has however recently appointed an additional officer and an apprentice licensing officer which would assist with work pressures. Alternatively establishing and monitoring an approved number of testing stations would increase the workload of managers and officers involved in selecting and monitoring the approved garages.

10. CONSULTATIONS

- 10.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.
- 10.2 Paragraph 5.7 onwards above details the consultation exercise undertaken with the licensed trade and the results of the same.

11. STATUTORY POWER

- 11.1 Local Government Miscellaneous Provisions Act 1976,
Town Police Clauses Act 1847

Author: Lee Morgan, Licensing Manager, morgal16@caerphilly.gov.uk

Consultees: Cllr, Walter Williams, Chair Taxi and General Licensing Committee
Cllr, Mike Adams, Vice Chair Taxi and General Licensing Committee
Cllr Philippa Leonard Cabinet Member for Planning and Public Protection
Mark S. Williams, Corporate Director Economy and Environment
willims@caerphilly.gov.uk
Robert Hartshorn, Head of Public Protection, Community and Leisure
Services
Hartsr@caerphilly.gov.uk
Robert Tranter, Head of Legal Services and Monitoring Officer
Trantrj@caerphilly.gov.uk
Jacqui Morgan, Trading Standards, Licensing and Registrars Manager
Morgaj4@caerphilly.gov.uk
Mike Headington, Green Spaces and Transport Services Manager
headim@caerphilly.gov.uk
Robert Mitcham, Fleet and Vehicle Maintenance Manager
Mitchr2@caerphilly.gov.uk
Steve Harris, Head of Financial Services and S151 Officer
harrisr@caerphilly.gov.uk

Dave Roberts, Principal Group Accountant
Roberda@caerphilly.gov.uk
Lynne Donovan ,Head of people Services
Donovl@caerphilly.gov.uk

Background Papers:

Vehicle Inspection standards - [Vehicle Inspection Standard.aspx \(caerphilly.gov.uk\)](#)

Appendices:

Appendix A Copy of survey questions
Appendix B Consultation results
Appendix C Details of Compliance check.