



SHEFFIELD CITY COUNCIL LICENSING COMMITTEE

Report of: Chief Licensing Officer

Date: 12th December 2013

Subject: Private Hire and Hackney Carriage Licensing

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Business and Strategy, Place Portfolio

Summary: Report – Review of frequency of Mechanical
Compliance testing of licensed vehicles

Category of Report: OPEN

Hackney Carriage and Private Hire Licensing

Review of Frequency of Mechanical Compliance tests for Licensed Vehicles

1.0 Purpose

- 1.1 To review the current Policy which determines the number of times a licensed vehicle is required to be tested at the expense of the Licensee.

2.0 Background

- 2.1 At its meeting of the 22nd September 2011 the Committee decided to increase the age at which a licensed vehicle is required to undertake a further test within the year of licence to 2 tests per year.
- 2.2 This affected hackney carriage vehicles which moved from 8 years to 9 years, and private hire vehicles that moved from 5 years to 6 years.
- 2.3 The Licensing Committee reviewed this Policy in October 2012, and asked for a report within the year to consider the current policy.

3.0 The current position

- 3.1 The requirements are different for the two types of licensed vehicles and are as follows:-
- 3.2 Private Hire Vehicles are tested once per year until they are six years old and then twice per year until they are nine years old at which the age policy states the vehicle will no longer be licensed.
- 3.3 Hackney Carriage Vehicles are tested once per year until they are nine years old and then twice per year until they are fifteen years old at which the age policy states the vehicle will no longer be licensed.
- 3.4 All vehicles are tested to the Sheffield City Council's compliance testing schedule a copy of which will be available at the meeting if required. This is above the standard of an MOT.

4.0 The legal position

- 4.1 The Local Government (Miscellaneous Provisions) Act 1976 Section 50 allows a Local Authority to instruct a proprietor (licensee) to present their vehicle no more than three times in any twelve month period. Tests over 3 times charged to the council not licensees.
- 4.2 The test is at the cost of the licensee. Currently £59 for a hackney carriages and £54 for private hire vehicles.
- 4.3 In addition an Authorised Officer can inspect a licensed vehicle at any time.

5 Findings

- 5.1 In the year November 2012, to October 2013, 1335 test were carried out with 578 failures and 130 suspensions. A copy of the findings and figures are attached at appendix 1.
- 5.2 A vehicle may fail the council compliance test, with faults that would not affect the issuing of an VOSA MOT Certificate. Vehicles will fail on faults where it would not affect the operation of the vehicle and the vehicle would pass an VOSA MOT
- 5.3 Suspension notices can only be issued to currently licensed vehicles. Result show that around 10 vehicles of both types are suspended at test per month. This equates to around 10% of hackney vehicles and 5% of private hire vehicles are suspended at test.
- 5.4 Suspension with immediate effect is issued under section 68 Local Government (Miscellaneous Provisions) Act 1976.

This states that the person (tester/ inspecting officer) can suspend the licence if they are not satisfied as to the fitness of the vehicle or any taximeter (where fitted) and suspend the licence until the vehicle is deemed fit (repaired) and presented again at a test or inspection. This has to be within 2 months of the date of the issue of the notice or the said licence is deemed revoked.

6 Age of current licensed vehicles

- 6.1 The current average age of vehicles is as follows this was at the time of gathering the information for the report which was November 2013.

Type of vehicle	Numbers licensed	Average age over all	Aged 0 – 5	6 – 10	Over 10
Hackney	847	9.5	112	431	304
Private hire	1394	5.3	862	531	0

- 6.2 The majority of hackney carriages will have to under take two tests per year, within the next year.
- 6.3 The majority of private hire vehicles have only one test per year currently.
- 6.4 The numbers show a small rise of the average age of vehicles. In respect of Hackney carriage there is a rise in the over 6 year old and over 10 year old figures. This year's hackney figures show only 847 licensed vehicles at the time of the report. This is because 10 vehicles were either waiting to be renewed or are off the road at present for a number of reasons.
- 6.5 Average Age Figures at September 2012.

Type of vehicle	Numbers licensed	Average age over all	Aged 0 – 5	6 – 10	Over 10
Hackney	857	8.9	182	399	275
Private hire	1369	5.3	947	422	0

7.0 Consultation

7.1 The report was circulated to Trade representatives in the usual manner prior to the meeting.

7.2 The Trade representatives were invited to this meeting.

8.0 Options

8.1 The Committee have many options they could introduce within the Vehicle testing Policy. The current policy is;

Hackney carriages 1 test per year until 9th year then 2 tests per year 6 months apart.

Private Hire vehicles 1 test per year until 6th year then 2 tests per year.

8.2 The Committee can make any changes it wishes to the policy within the constraints of the legislation. The options below are just some examples.

8.3 Option 1. Leave the current policy in place, making no alterations to the frequency of testing of licensed vehicles of any licence.

8.4 Option 2. Change the number of test required by the Council for licensed vehicles from the current system of testing requiring vehicles to be tested less. All vehicles to be tested just once per year in the month prior to the expiry date of the vehicle licence.

8.5 Option 3. Change the number of test required by the Council for hackney carriage vehicles from the current system of testing requiring vehicles to be tested twice a year at a lower age than currently tested.

Hackney Carriages to be tested twice a year when the vehicle reaches 6 years of age, bringing this in line with Private Hire vehicles.

8.6 Option 4. Change the number of test required by the Council for hackney carriage vehicles from the current system of testing requiring vehicles to be tested twice a year at a lower age than currently tested.

Hackney Carriages to be tested twice a year when the vehicle reaches 8 years of age. Which is reverting back to the original testing policy prior to the September 2011

8.7 Option 5. Change the number of test required by the Council for private hire vehicles from the current system of testing requiring vehicles to be tested twice a year at a lower age than currently tested.

Private hire vehicles to be tested twice per year when the vehicle reaches 5 years of age. Which is reverting back to the original testing policy prior to the September 2011.

8.8 Option 6. Change the testing requirements of the Council for all licensed vehicles to be tested twice per year whatever the age of the vehicle, at six monthly intervals.

8.9 Option 7. Change the testing requirements of the Council for all licensed vehicles to be tested twice per year whatever the age of the vehicle, at six monthly intervals, up to the vehicles being a certain age and then after that age require vehicles to be tested three times a year.

8.10 Option 8. Change the testing requirements of the Council for all licensed vehicles to be tested to the maximum allowed three tests per year at four monthly intervals.

9.0 **Recommendations**

9.1 Officers recommend that the Committee considers the report all its options including the eight options stated in section 9 and further considers information and representations made on the day.

December 2013

Stephen Lonnia
Chief Licensing Officer
Head of Licensing

APPENDIX A

HACKNEY CARRIAGE VEHICLE TESTING RESULTS
OCTOBER 12 – NOVEMBER- 13

MONTH	No of tests	Intermediate test	none result	PASS	FAIL	Sus	% fail
Nov-12	142	26	5	62	71	4	52
Dec-12	89	18	1	42	41	5	48
Jan-13	102	15	2	43	46	11	49
Feb-13	130	13	8	42	65	15	65
Mar-13	126	49	5	44	70	7	61
Apr-13	189	70	23	107	41	18	32
May-13	136	33	7	97	27	5	24
Jun-13	126	17	2	78	37	9	36
Jul-13	133	25	4	74	44	11	41
Aug-13	162	43	5	94	41	22	39
Sep-13	165	24	5	102	49	9	35
Oct-13	168	35	6	102	46	14	36
TOTALS	1335	368	73	887	578	130	
				PASS	FAIL	SUSP	%fails

PRIVATE HIRE VEHICLE TESTING RESULTS
OCTOBER 12 – NOVEMBER- 13

MONTH	No	Intermediate test	none result	PASS	FAIL	SUSPENDED	% fails
Nov-12	154	26	9	97	45	3	29
Dec-12	139	20	8	77	40	14	30
Jan-13	155	14	13	77	59	6	39
Feb-13	205	22	10	114	73	8	40
Mar-13	160	38	5	80	67	8	47
Apr-13	225	52	12	162	35	16	23
May-13	172	21	9	134	22	7	18
Jun-13	162	25	1	118	39	4	26
Jul-13	180	18	3	127	36	14	28
Aug-13	181	43	4	128	38	11	27
Sep-13	194	40	5	147	36	6	22
Oct-13	226	42	9	160	45	12	25
TOTALS	2153	361	88	1421	535	109	