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TRAFFORD
COUNCIL

AGENDA PAPERS FOR PUBLIC PROTECTION SUB-COMMITTEE MEETING

Date: Thursday, 26 March 2015

Time: 6.30 pm

Place: Meeting Room 9 Marshall Stevens Room, Trafford Town Hall, Talbot Road, Stretford, Manchester, M32 0TH

A G E N D A	PART I	Pages
1. ATTENDANCES		
To note attendances, including Officers and any apologies for absence.		
2. MINUTES		
To receive and if so determined, to approve as a correct record the Minutes of the meeting held on 19 th February 2015.		
3. URGENT BUSINESS (IF ANY)		
Any other item or items (not likely to disclose “exempt information”) which, by reason of special circumstances (to be specified), the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.		
4. EXCLUSION RESOLUTION (REMAINING ITEMS)		
Motion (Which may be amended as Members think fit):		
That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of “exempt information” which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.		

1 - 4

Public Protection Sub-Committee - Thursday, 26 March 2015

5 OBJECTIONS TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES FOR 2015-2016

To consider a report of the Head of Public Protection.

5 - 10

6. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING PROCEDURES

To consider a report of the Head of Public Protection.

11 - 50

7. URGENT BUSINESS (IF ANY)

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors C. Candish (Chairman), B. Sharp (Vice-Chairman), D. Bunting, A. Duffield, M. Freeman, D. Jarman, P. Lally, M. Sephton and J. Smith

Further Information

For help, advice and information about this meeting please contact:

Natalie Owen, Democratic & Scrutiny Officer

Tel: 0161 912 4221

Email: natalie.owen@trafford.gov.uk

This agenda was issued on **Tuesday, 17 March 2015** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

PUBLIC PROTECTION SUB-COMMITTEE

19 FEBRUARY 2015

PRESENT

Councillor C. Candish (in the Chair).

Councillors B. Sharp (Vice-Chairman), D. Bunting, A. Duffield, M. Freeman, D. Jarman, P. Lally, M. Sephton and J. Smith

In attendance

D. Adcock	- Solicitor
J. Boyle	- Licensing Team Leader
N. Owen	- Democratic and Scrutiny Officer

Also in attendance for Minute No. 26:

G. Levy	- Public Protection Manager (Trading Standards)
J. Stoddart	- Enforcement Support Officer

22. MINUTES

RESOLVED: That the minutes of the Public Protection Sub-Committee meeting held on 20th November 2014 be agreed as a correct record and signed by the Chairman.

23. EXCLUSION RESOLUTION (REMAINING ITEMS)

RESOLVED: That the public be excluded from this meeting during consideration of the following items on the agenda because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as specified.

24. PRIVATE HIRE DRIVER CONVICTIONS THAT EXCEED THE SCHEME OF DELEGATION

The Head of Public Protection submitted a report requesting Members to consider a Private Hire driver's conviction. The driver attended the meeting to enable Members to give the matter their full consideration.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the offence.

He provided a statutory declaration form dated 21st May 2014 confirming that he did not have any criminal convictions. This declaration was incorrect given that he had been convicted on 29th April 2014 for an offence of SP50 for which he was sentenced to a one month disqualification period and fined £450.00. Due to his failure to disclose this information he provided a false declaration. His

Public Protection Sub-Committee
19 February 2015

explanation that he was unable to understand the requirements of the declaration form due to the fact that he had difficulties in the comprehension of the English language were accepted and noted by the Sub-Committee.

He reported his current ill health to the Sub-Committee and his view that he was, at present, unable to drive because of ill health and this was accepted and noted by the Sub-Committee.

RESOLVED: That Mr. Z. H. N's Private Hire driver's licence be suspended with immediate effect until he has passed a full English Language test and also provided a satisfactory medical certificate.

25. HACKNEY CARRIAGE DRIVER - CONVICTIONS THAT EXCEED THE SCHEME OF DELEGATION

The Head of Public Protection submitted a report requesting Members to consider a Hackney Carriage driver's conviction. The driver attended the meeting to enable Members to give the matter their full consideration.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the offence.

RESOLVED: That no further action be taken against Mr. H. M.

26. TRAFFORD PRIVATE HIRE DRIVER - CONVICTION FOR ILLEGAL PLYING FOR HIRE AND NO INSURANCE

The Head of Public Protection submitted a report requesting Members to consider a Private Hire driver's conviction. The driver attended the meeting to enable Members to give the matter their full consideration.

The driver provided the Sub-Committee with a brief outline of what he said were the circumstances of the offence.

He was convicted on 23rd January 2015 of the offences of illegally plying for hire and for having no insurance. His explanation that he had not intended to commit the offence was not accepted by the Sub-Committee, however, the Council's Enforcement Officers confirmed that he had been co-operative throughout the process and this was noted by the Sub-Committee.

RESOLVED: That Mr. G S's Private Hire driver's licence be suspended with immediate effect for a period of six months.

27. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - SECTION 61 (2B) - SUSPENSION OF PRIVATE HIRE DRIVER'S LICENCE - TO HAVE IMMEDIATE EFFECT

The Head of Public Protection submitted a report informing Members of a recent decision taken by the Chairman, Vice-Chairman and Opposition Spokesperson made under emergency powers to suspend a Private Hire driver's licence with

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immediate effect until the conclusion of the investigation or the conclusion of any prosecution case.

RESOLVED: That the report be noted.

28. UPDATE ON RECENT CASES

The Licensing Team Leader informed the Sub-Committee that Mr. Z's appeal had been heard in court and the court had determined to change the Sub-Committee's decision. Mr Z's licence was now suspended until he passed the English Language test. At present, Mr. Z had not sat the English Language test.

The Sub-Committee were also informed that Mr. S. P. R's appeal had also been heard in court and the court had determined to change the Sub-Committee's decision. Mr. S. P. R's licence had been re-instated and he had been awarded 75 penalty points under the Council's Penalty Point Scheme for his failure to disclose his convictions. The court also determined that he could not work in the commercial credit market.

The meeting commenced at 6.34 pm and finished at 9.30 pm

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Agenda Item 3

AGENDA ITEM NO.

TRAFFORD COUNCIL

Report to: Public Protection Sub-Committee
Date: 26th March 2015
Report for: Decision
Report of: Head of Public Protection

Report Title

OBJECTIONS TO HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES FOR 2015-2016

Summary

To inform Members of objections to the proposed increase in hackney carriage and private hire licence fees.

Options

Members are invited to consider the report and the objections to the proposed fees increase and adopt one of the following options:

- approve the proposed fees;
- modify the proposed fees;

Should the Members decide to approve or modify the proposed fees then they must confirm the date on which any change becomes effective.

Contact person for access to background papers and further information:

Name: Joanne Boyle
Extension: 4129

Background Papers:

1. BACKGROUND

1.2 Under section 52(3) and section 70 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may charge a fee for the following:

- Hackney carriage proprietor and driver licences;
- Private hire vehicle and driver licences;
- Private hire operator licences.

1.3 If the fees are to be greater than the fees laid down in section 70(2) then the following procedure must be followed:

1.4 A notice must be published in a local newspaper, stating the proposed fees which exceed those laid down in section 70(2).

1.5 The notice must give 28 days for objections to be made; and where objections are made and not withdrawn, the Council must consider the objections fully.

1.6 After considering the objections the Council must set a second date, which cannot be more than two months after the first date specified for when the new or modified fees will come into force.

2. CURRENT POSITION

2.1 The hackney carriage and private hire fees were last increased in 2011-12.

2.2 The proposed hackney carriage and private hire licence fees for 2015-2016 were approved by the full Council at its meeting on the 18th February 2015. Notice of the proposed fees appeared in the Advertiser on the 25th February March 2015 stating that the fees would become effective on the 1st April 2015 should no objections be received. A copy of the newspaper notice is attached at **Appendix A**.

2.3 The fees levied for hackney carriage and private hire driver licences are generally the same, however, the members will note that the fees proposed for 2015-2016 show an increase in the fees for the renewal of hackney carriage vehicle and driver licences. This is because this year's fees include an additional charge to hackney carriage owners and drivers to cover the cost of the taxi unmet demand survey.

All other proposed fees have been increased by 5% excepting certain charges relating to the vehicle testing procedure. These fees have been increased to cover the charges to the Authority which will be levied by the current contractor Kier for their costs in providing certain tests as required by the Authority, namely:

- compliance retest has been increased from £39.00 to £50.00;
- a new partial retest fee of £25.00 has been introduced as part of the proposed new retesting procedures;
- the age test has been increased from £12.50 to £25.00 and will be applied to all over age vehicles when they are first licensed;
- a new charge of £12.50 has been introduced for age tests carried out on existing licensed vehicles provided it is done at the time of the compliance test; and
- a new charge has been introduced to cover the contractor's costs for inspecting accident damaged/repared vehicles.

2.3 Objections to the proposed fee increases have been received by the Authority. A copy of each objection, received at the time of writing, is attached at **Appendix B**. Any objections received after the date of writing but before the end of business on the 25th March 2015 will be presented at the meeting.

3. KEY ISSUES

3.1 When considering a fee increase the Council must take into account the impact of any increase on the livelihood of those affected. However, the local authority's overriding aim must be to protect the public and, within the statutory mechanisms, to provide an efficient and effective service for all concerned. The control of hackney carriage and private hire vehicles, and associated drivers and operators, is a time-consuming and costly exercise, and it is quite legitimate for a local authority to recover as much of the costs as they are able to in relation to this. Those involved in the hackney carriage and private hire trades are in a business and it would be difficult to justify an approach where the local authority subsidised private enterprise by refusing to recover as much of the costs associated with its statutory duties as it is able.

3.2 The proposed increase of 5% for all taxi licence fees is in line with the increase in charges across the whole Council. The increase in Council charges will impact on the costs of running the licensing service and it is appropriate to recover these costs through the fees and charges. It is worth noting that the private hire trade may increase fares to cover their operational costs and the hackney carriage trade may at any time make a formal request to the Council for a fare increase.

4. OPTIONS

4.1 Members are invited to consider the report and the objection to the proposed fee increase and adopt one of the following options:

- approve the proposed fees;
- modify the proposed fees

Should the Members decide to approve or modify the proposed fees then they must confirm the date on which any change becomes effective.

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APPENDIX B

Boyle, Joanne

From: Guy Morgan <pmjtravel@btconnect.com>
Sent: 03 March 2015 17:10
To: Boyle, Joanne; 'Atlas Travel'; 'B & S Travel'; 'CALYDEL'; 'CRT Transport'; 'DMC Travel Dave Cheetwood'; 'ICABS'; 'MJB Travel'; 'New Moon/Robin Hood1'; 'New Moon/Robin Hood2'; 'New Moon/Robin Hood3'; 'Parkshield/Abacus'; 'Sale Airport Services'; 'Scotts & Cheshire Cars/Anytime PH'; 'Stallion Travel'; 'Station Cars'; 'Steve Tandy Passenger Cars Group'; 'Wythenshawe Private Hire/Club Cars'; 'Scotts Steve Tilston'
Subject: Increase in Charges

Hi Jo,

I refer to this notice published in "The Advertiser"

I wish to make an objection to any increase in fees

Under the Freedom of Information Act, I now formally request a full set of the accounts covering Taxi/Private Hire licensing in Trafford please, with a detailed breakdown of those accounts.

I would also like to know Trafford Councils justification for these price increases please.

I notice the amount of vehicles operating within Trafford as Private Hire vehicles, licensed by other authorities as Hackney Carriages, have increased significantly, one assumes there will be considerably more owners following suit should these increases be imposed on the trade as a whole

You specified that 2 qualified technicians were required to conduct an age test, (which the enforcement Officer used to conduct along with the tint test at the Town hall, (One assumes he was not a qualified technician and clearly one person)

It seems Trafford Council want us all to believe that an exhaustive inspection of the vehicles during the "Taxi Test" is somehow impaired and that a further age inspection (at the same time) should cost more? Presumably as these two technicians are unable to ascertain the vehicles roadworthiness whilst conducting the "Taxi Test", somewhat bizarre, when one considers that many of the staff at Higher Road have substantial experience in this field.

You said there was no right of appeal over the outcome of the hearing of this issue before the Licensing Panel.

I believe such an appeal is covered by section 7 of the Public Health Act 1907, which by virtue of section 2(1), is construed as one with the Public Health Act 1875. Section 7 states:-

7(1) Except where this Act otherwise expressly provides any person aggrieved:

- a) By any order, judgment, determination, or requirement of a local authority under this Act;
- b) By the withholding of any order, certificate, licence, consent or approval, which may be made, granted, or given by a local authority under this Act;
- c) By any conviction or order of a court of summary jurisdiction under any provision of this Act;

May appeal to the Crown Court.

Regards

Guy Morgan

**TRAFFORD COUNCIL
NOTICE OF TAXI LICENCE FEES 2015-2016**

Notice is hereby given that pursuant to Section 70 of the Local Government Act (Miscellaneous Provisions) Act 1976; Trafford Council propose to vary the fees which it intends to charge for the granting of licences for hackney carriages, private hire vehicles, drivers licences of said vehicles and private hire operators. The variation to fees will come into effect on the 1st April 2015.

	Current Fee £	Proposed fee £
Hackney Carriage/Private Hire:		
Vehicle (Grant)	94.00	98.00
Private Hire Vehicle (Renewal)	94.00	98.00
Hackney Carriage Vehicle (Renewal)	94.00	147.50*
Driver (Grant)	128.00	134.50
Private Hire Driver (Renewal)	81.00	85.00
Hackney Carriage Driver (Renewal)	81.00	101.55*
(*includes cost of unmet demand survey 2015)		
Vehicle Tests:		
Compliance Test	71.00	75.00
Compliance test plus exceptional condition	-	87.50
Compliance Retest	39.00	50.00
Partial Retest	-	25.00
None Attendance/Late Penalty	26.50	28.00
Accident damage check	-	25.00
Meter Test	12.50	14.00
Window Tint Test	12.50	13.20
Exceptional Condition Test (inc. tint test)	12.50	25.00
Driver Tests:		
English Language Assessment		40.00
Training & Knowledge Test	118.00	124.00
Knowledge Test (Re-take)	32.00	34.00
Knowledge Test (one sec. re-take)	11.00	11.50
Private Hire Operator		
1 vehicle	181.00	190.00
2-5 vehicles	181.00**	190.00**
6-10 vehicles	351.00	368.50
11-29 vehicles	474.00	498.00
30+ vehicles	623.00	654.00
	**plus 29.50 per vehicle	**plus 31.00 per vehicle
Other Charges:		
DBS Check	44.00	44.00
Roof Sign	40.00	63.00
Change of vehicle application	38.50	41.00
Transfer of vehicle application	14.00	15.00

Any person wishing to object or make representations about these proposals should do so in writing to Miss J Boyle, Licensing Team Leader, Trafford Council, Trafford Town Hall, Talbot Road, Stretford, M32 0TH by 5.00 pm on the 25th March 2015.

A copy of this Notice shall for the period of 28 days from the date hereof be deposited at the offices of the Licensing Section at Trafford Town Hall and shall be open to public inspection without payment on Monday to Friday between the hours of 10.00am to 1.00pm and 2.00pm and 4.00pm.

Iain Veitch
Head of Public Protection
Trafford Council
Dated: 25th February 2015

Boyle, Joanne

From: Guy Morgan <pmjtravel@btconnect.com>
Sent: 13 March 2015 13:29
To: Boyle, Joanne
Subject: RE: Civica FOI 133842 - Request for Acccounts

Hi Jo,

That is not what was requested, I asked for a full and proper breakdown, that does not approach what was requested.

Two technicians performing the "Taxi Test" both of whom are presumably qualified, are you seriously suggesting whilst they are testing the vehicle (considering that they fully inspect every part of that vehicle) that they wouldn't notice the bodywork and not state repairs were necessary. This is a clear money making scam by TMBC and clearly adversely effects every owner of vehicles in this Borough.

Im afraid it does not explain the increase in fees, greed is never a good reason.

TMBC are making owners move away from the Borough for licensing issues and take Hackney Plates elsewhere and in doing so, put the public at large in unnecessary risk.

Trafford is becoming overrun with these vehicles and drivers, whilst Trafford cannot legally prevent them from plying for hire as Private Hire vehicles (confusing the public as they are flagged down wearing their TAXI signs) Trafford is not helping the situation by increasing fees.

Is the real cause of this increase more to do with the loss of that revenue from those who choose to move away then any fee charged by the garage?

Perhaps Trafford should open the "Taxi Test" to other "Less Expensive" garages, the test is already far more expensive than an MOT and realistically has very little more in it than the standard MOT

Regards

Guy

From: Boyle, Joanne [mailto:Joanne.Boyle@trafford.gov.uk]
Sent: 12 March 2015 17:53
To: guy (pmjtravel@btconnect.com)
Cc: Whalley, Karen; Data Protection; Marriott, Joe
Subject: Civica FOI 133842 - Request for Acccounts

Guy

Further to your email dated 3rd March 2015 and my email of the 4th March 2015 when I confirmed that your objection to the proposed fees and charges for 15/16 will be considered by the PP Sub-Committee on the 26th March 2015.

Concerning your FOI request for the accounts covering taxi/private hire licensing and breakdown. Please find attached the income and expenditure accounts for 13/14 which has been provided by our accountants and is considered the appropriate disclosure.

The current year's accounts will not be available until the financial statements have been audited. Just to clarify the financial year runs from 1st April to 31st March at which point the audit begins and runs through to August.

In respect of the fees for 15/16 there is a 5% increase across the board. This increase is to take account of increasing costs, and the insignificant surplus from the previous year.

In respect of the increase in testing charges, these reflect the full costs incurred by Kier for undertaking the testing on behalf of the Council. As part of a recent review of the testing procedures it became apparent that Kier was not charging for all the tests it was carrying out and was, therefore, not recovering all its costs. From 1st April Kier will be charging the Council for all tests it does and these charges must unfortunately be passed on to the trade.

The Council has always required two testers to sign off the overage test.. This is because the test is still somewhat subjective and having two testers looking at the same vehicle balances out any individual's opinions and gives consistency. The £12.50 additional charge for a combined test was considered reasonable, given that Kier's charge for an age test at any other time will be £25.00.

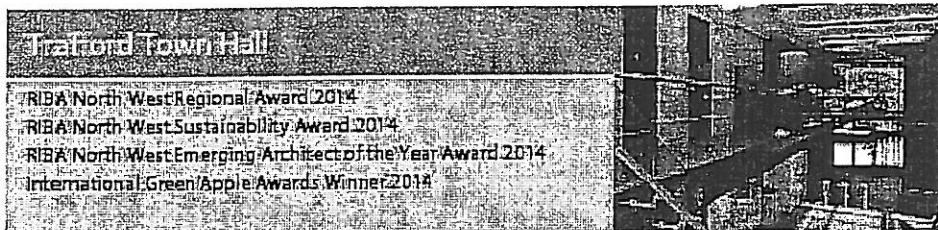
I hope this explains the reasons for the increase this year; however, the proposed fees and charges will be considered by the Public Protection Sub-Committee on the 26th March 2015 and you have been invited to attend the meeting in support of your objection.

Regards

Joanne Boyle

Team Leader (Licensing)
Licensing Section
Regulatory Services
Trafford Council
Trafford Town Hall
Talbot Road
Stretford
M32 0TH
Tel: 0161 912 4129

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Boyle, Joanne

From: Paul Brent <paulbrent04@hotmail.com>
Sent: 23 March 2015 07:54
To: Boyle, Joanne
Subject: Objection

Hello Joanne

I feel at this stage I am not convinced that Trafford kept proper and true records of income and expenditure, with care, skill and diligence, I may well be convinced at our meeting on the 25th of March, in which case I will rescind my objection.

The main reason for my objection is a 5% increase across the board, as you are aware that no true records of a full breakdown has ever been produced, or has licencing administration been fully reviewed, allowing reasonable costs to be recovered by the authority.

Has the extra costs that are to be imposed by the test centre been included in the review which will impact on revenues received. While I can appreciate that openness too an end of year surplus is declared, it does not detract from what appears too be total guess work by the authority.

I can appreciate that as an authority your main priority is public protection, and you know how I always have a pragmatic view of things and share, pass on, and inform the authority which would help the department give the public the required protection required, and an open fairness too owners drivers and operators.

Given the opportunity, I would be happy too speak at the meeting on the 26th of March.

Kind regards

Paul

Boyle, Joanne

From: Eric Bullock <ttoada@hotmail.com>
Sent: 17 March 2015 02:50
To: Boyle, Joanne; Paul Brent; Philip Jordan
Subject: RE: Public Protection Sub-Committee Meeting - 26th March 2015@6.30pm Meeting Room 9

Joanne

I wish to object to the proposed increases to the Hackney and Private hire trade.

The reasons for this are

- 1 We have been asking for a brake down of where our fees are used, at present we are still awaiting a full response.
- 2 All money raised from the trade is supposed to be ring fenced to be used for the benefit of the trade. Not put into the council
Coffers to be spent on other projects.
- 3 I cannot understand why you have attached a 5% across the board on the trade without prove that it is needed.

Eric Bullock (H0656)

Boyle, Joanne

From: philip jordan <philjordan1147@gmail.com>
Sent: 18 March 2015 09:58
To: Boyle, Joanne
Subject: TAXI LICENCE FEES 2015-6

I wish to object to the proposed fees on three grounds. Note that the views expressed are not necessarily those of the Trafford Taxi Owners' and Drivers' Association.

1. NON-PRODUCTION OF ACCOUNTS FOR PREVIOUS YEARS

Since taxi licensing fees are a totally separate item from any other Council income and expenditure, and moneys raised cannot be used elsewhere, nor shortfalls met from other sources, it is vitally important that budgets and accounts are scrupulously produced, and can be readily accessed by the taxi trade. This simply does not happen in Trafford, and the situation cannot be allowed to continue unchecked.

There are previous examples where Councils have been found to have illegally raised and used taxi licensing revenue, including Manchester only recently. This budget simply has to be open and transparent.

The proposed fees include an across-the-board percentage increase, yet no figures to justify that increase have been made available.

2. NON CONTRIBUTION TO SURVEY COSTS BY THE PRIVATE HIRE TRADE

Since the alternative to conducting regular demand surveys would be to deregulate, it follows that the private hire trade have an interest in the procedure being adhered to.

If deregulation occurred, and additional Hackney Carriages came onto the streets of Trafford in any significant volume, the private hire customer base would be adversely affected. The private hire trade should also contribute to the survey costs.

3. "OUT OF TOWN" HACKNEY CARRIAGES

The proliferation of Hackney vehicles from other authorities, which operate in Trafford under the umbrella of a private hire operator's licence, must surely have some effect in our licensing department. Every time you receive a complaint about one of these vehicles, it follows that the time taken in addressing it is a cost to the operation, even though enforcement cannot be undertaken.

The private hire operator's licence uses a flexible charging regime, which takes into account the number of vehicles operated.

There is no reason why a surcharge for each non-Trafford vehicle operated cannot be made. The introduction of a quite punitive sum per vehicle could reduce costs across the budget for bona fide Trafford vehicles and drivers on both sides of the trade, and might actively discourage the operation of these vehicles, which I believe present a continuing threat to the public on a number of levels.

I await your views, and would welcome the opportunity to attend the meeting at which the fees are to be dealt with. I am happy to speak at that meeting if asked to do so.

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TRAFFORD COUNCIL

Report to: Public Protection Sub-Committee
Date: 26th March 2015
Report for: Decision
Report of: Head of Public Protection

Report Title

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING PROCEDURES

Summary

As part of an on-going review of the Council's Hackney Carriage and Private Hire Vehicle Specification, officers have reviewed the current testing procedures undertaken by Kier at the Council's Higher Road Depot. This report outlines the current procedures and requests the Sub-committee to reaffirm these where applicable. The report also includes proposals to introduce new documented procedures, new sanctions and revised fees and charges.

Options

The Sub-Committee is asked to consider the report and determine to either approve or modify the following:

- Proposal 1 – Compliance Test Standards
- Proposal 2 – Sanctions for failure to maintain vehicle
- Proposal 3 – Inspection Items and Retest Policy
- Proposal 4 – Age test to follow compliance test

Contact person for access to background papers and further information:

Name: Joanne Boyle
Extension: 4129

Background Papers:

1.0 BACKGROUND

- 1.1 Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 (the Act) provides that the Council will not grant a hackney carriage or private hire vehicle licence unless it is satisfied that the vehicle is in a suitable mechanical condition; and is safe and comfortable.
- 1.2 As part of an on-going review of the Council's Hackney Carriage and Private Hire Vehicle Specification officers have reviewed the current testing procedures undertaken by Kier at the Council's Higher Road Depot. This report outlines the current procedures and requests the Sub-committee to reaffirm these where applicable. The report also includes proposals to introduce new documented procedures, new sanctions and revised fees and charges.

2.0 VEHICLE TESTING

- 2.1 Section 50 of the Act provides that the Council may require a proprietor to present a vehicle for inspection and testing on a maximum of three separate occasions.
- 2.2 Trafford Council currently require all licensed hackney carriage and private hire vehicles to be inspected every six months.
- 2.3 The Sub-Committee is asked to approve the following:

Proposal 1 – Compliance Test Standards (Revised)

- 2.4 All vehicles will be subject to a compliance test at the Council's appointed test station before a licence is granted. A Certificate of Compliance will be issued and must be produced as evidence that a vehicle meets the required standard. All vehicles must undergo a compliance test every six months during the currency of the vehicle licence. **Appendix A** to this report sets out the vehicle testing standards to be applied.

Proposal 2 – Sanctions for failure to maintain vehicle (New)

- 2.5 Where any vehicle fails three consecutive compliance tests the proprietor will be reported to the Public Protection Sub-Committee. The Sub-Committee will consider whether, in the circumstances, the proprietor is still suitable to hold a hackney carriage or private hire proprietor's licence.

Proposal 3 – Inspection Items and retest policy (Revised)

- 2.6 Licensed vehicles that fail an authorised examination and test, and are deemed unsafe as a passenger vehicle by the vehicle examiner, may result in the vehicle proprietor or driver being issued with a suspension notice in order to prevent the vehicle being used to carry passengers until the defect(s) is/are remedied. **Appendix B** to this report sets out the proposed inspection items and **Appendix C** sets out the proposed retest policy.

3.0 AGE TEST

3.1 Trafford Council has a policy as regards the maximum ages of public/private hire vehicles when they are first licensed:-

- Private Hire Vehicles – 4 years
- Hackney carriage Vehicles – 10 years

3.2 These maximum age limits are subject to the proviso that if an older vehicle is deemed to be in exceptional condition it can be eligible to be licensed.

3.3 For a vehicle to be regarded as in exceptional condition it must appear to be in substantially better condition than would normally be expected for a vehicle of the maximum age. This assessment is undertaken by qualified testers at the Higher Road Depot. A copy of the guidance on the age test is attached at **Appendix D**.

3.4 The age test is currently carried out on a separate day to the compliance test, meaning that owners with older vehicles are required to present those vehicles on three separate occasions. The proposal below would bring the age test in line with one of the two compliance tests. Where the age test takes place immediately after the compliance test, the fee for the age test will be reduced to take account of the fact that the vehicle is already in a testing bay ready to be tested.

Proposal 4 – Age test to follow compliance test (Revised)

3.5 One of the two yearly compliance tests will include an age test, where applicable, at an additional charge of £12.50. The age test must be carried out with the compliance test which falls closest to the renewal of the licence.

3.6 On renewal of the licence the vehicle owner will be required to provide a copy of the age test certificate showing that a test has been done within the last 6 months. If an age test has not been done the licence will not be renewed and the vehicle will be subject to an age test at the full fee of £25 and a new vehicle application.

4.0 CONSULTATION

4.1 The Hackney Carriage trade representatives and private hire operators were consulted about the proposed changes in February 2015. The comments received are contained in **Appendix E1 – E6**.

5.0 OPTIONS

5. The Sub-Committee is asked to consider the report and determine to either approve or modify the following:

Proposal 1 – Compliance Test Standards

Proposal 2 – Sanctions for failure to maintain vehicle

Proposal 3 – Inspection Items and Retest Policy

Proposal 4 – Age test to follow compliance test

APPENDIX A

Hackney Carriage and private hire vehicles examination and testing requirements in addition to those forming part of the MOT/VOSA test

1.0	Rear drive shaft inner/outer gaiters	
	Method of inspection Inspect rear drive shaft inner/outer gaiters for condition and security (where applicable).	Reason for failure Gaiter missing/damaged/split or insecurely fitted. Drive shaft couplings excessively worn, insecure or damaged.
2.0	Prop shaft	
	Method of inspection Check for wear in needle roller bearings/cups, alignment of yokes and condition and security of retainer/circlip. Check security of flange bolts and/or nuts. Check condition of centre bearing and sliding spine.	Reason for failure Universal coupling yokes misaligned or incorrect propshaft fitted. Needle roller bearings rusted/worn/seized. Bearing cup retainer/circlip missing or insecure Coupling flange bolts loose, missing, or anti-loose/locking washer missing. Sliding joint spline worn or damaged to extent where it is likely to cause vibration or failure. Centre bearing noisy or worn. Mounting bracket incorrectly fitted, cracked, incorrect type or bearing rubber mounting deteriorated or split.
3.0	Wheels	
	Method of inspection Check condition of spare wheel and tyre (where accessible).	Reason for failure Does not meet legal requirement. Exemption: where there is no provision for a spare wheel.
4.0	Seatbelts All seat belts including rear facing seat fitted to Euro 7 taxi	
	Method of inspection Inspect all non-obligatory seatbelts (where fitted) to the same MOT test standard as obligatory seatbelts.	Reason for failure A non-obligatory seatbelt that does not meet MOT test standard for an obligatory seatbelt.
5.0	Seating	

Seating security and condition	
Method of inspection	Reason for failure
<p>Check all seats are properly cushioned and free from damage.</p> <p>Check that seating and arm rests meet manufactured specifications.</p> <p>Removed additional seating – brackets and mountings do not protrude in such a manner that it may cause damage or injury.</p>	<p>Seat cushion worn, damaged or insecure.</p> <p>Base or back rest cushion worn to the extent that the frame protrudes.</p> <p>Damaged/ torn or sharp edges of seating or arm rests.</p> <p>Seat base or back rest insecure.</p> <p>Seat mechanisms faulty in operation.</p> <p>Seating dirty or stained.</p> <p>Brackets or mountings protruding dangerously.</p> <p>Must not have the ability to fit more seats than licensed for.</p>
6.0	Doors Locks, hinges, panelling, etc.
Method of inspection	Reason for failure
<p>With the doors open (<u>approx. 18 inches</u>) check for excessive wear in hinges.</p> <p>Check that all passenger door locks and handles are easily operated from inside and outside the vehicle, as appropriate.</p> <p>Check door seals, handles, bonnet catches and support struts for security and condition.</p> <p>In respect of Hackney carriages – automatic door lock operation and function</p>	<p>Insufficient doors, door hinges worn in excess of manufacturers recommended tolerance.</p> <p>Doors will not open easily, sticking doors.</p> <p>Doors will not lock internally or difficult to lock.</p> <p>Door check strap missing/broken or incorrectly fitted.</p> <p>Door seals missing/damaged/incorrectly fitted or not creating a proper seal.</p> <p>Door handles or interior panelling insecure/sharp edges/damages or incorrect type.</p> <p>Check passenger doors lock when foot-brake is applied and that warning lamps come on.</p>
7.0	Glass and windows Condition of windows, glass or other transparent material
Method of inspection	Reason for failure
<p>Check the condition of all internal screens partitions, side, rear, roof and door windows/glass for cracks, surface damage and discolouration.</p> <p>Check that all windows that are designed to open can do so.</p>	<p>A crack, significant surface damage or discolouration in glass or other transparent material.</p> <p>Tinted windows – must allow at least 70% visible light transmission in all windows except front windscreen which must be 75%.</p> <p>Approved tint-meter to be used at testers discretion.</p> <p>Glass or approved material not transparent.</p>

	Check for security, wind and water tightness. From inside the vehicle, check that all windows and screens are free from defect or other objects, which may excessively impair vision and that they conform to the manufacturer's specification. Stickers are not permitted on windows unless they have been approved by the licensing authority.	Window will not open/close or is difficult to open/close. Window will not open completely to manufacturer's specification. Interior of vehicle not wind and water tight. Unauthorised stickers or objects attached to windows or screens. Any missing or broken glass/scored glass/cracked or holed glass, which may be likely to deteriorate quickly and cause failure.
8.0	Passenger communication	
	Method of inspection From inside the vehicle check that any passenger can communicate with the driver without restriction. Check that intercom system (where fitted) works correctly.	Reason for failure Panelling between front and rear compartment giving no means of adequate access for audible communication. Panel not transparent. Intercom system not working/faulty/unclear in operation.
9.0	Oil Leaks Engine, gearbox and final drive	
	Method of inspection Inspect the engine and drive train for obvious leaks.	Reason for failure A severe oil leak, where oil is dripping from the vehicle during the vehicle inspection.
10.0	Electrical wiring and equipment	
	Method of inspection Check all areas of the vehicle, in particular around the foot controls and dash panel area, for loose or defective wiring and equipment.	Reason for failure Any loose or damaged wiring. Any wiring, which may be so positioned or installed as to represent a safety risk.
11.0	Interior lights	
	Method of inspection Check operation of interior lights with door shut. Open each door individually and check the operation of the interior lights.	Reason for failure Interior light does not operate when any one door is opened (where fitted). Interior light does not operate when switched on. Interior light not giving off sufficient light so as to cause difficulty in vision to both rear or front seated

	Operate internal switches to check correct operation of interior light(s)	passengers. Passenger light switches not clearly marked (hackney carriage). Lamp or switches damaged or faulty in operation.
12.0	Panel and meter lights	
	Method of inspection Switch on vehicle lights and check that all panel lights and meter/taxi lamp operation	Reason for failure Panel or meter lights inoperative/faulty. Panel or meter light dim. Taxi illumination lamp in operative or dim.
13.0	Engine and gearbox mountings	
	Method of inspection From underneath the vehicle and from the engine compartment, inspect visually for any evidence of damage or deterioration of mountings. If mounting is suspect it may be necessary to use a lever to release its load.	Reason for failure Damaged or deteriorated mounting failed or likely to fail. Insecure, broken or missing engine stabiliser rods. Cross member split/cracked or likely to fail or deteriorate.
14.0	Heater	
	Method of inspection Examine heater for operation, security and condition. Check condition of heater hoses	Reason for failure Noisy operation. Leaking matrix or hoses. Insecure installation. Heater faulty or inoperative. Controls or switches faulty.
15.0	Examination of body Front and rear bumpers	
	Method of inspection Check front and rear bumpers for security, positioning and damage	Reason for failure Bumpers missing, insecure, incorrectly positioned, corroded or damaged. Protruding or sharp edges.
16.0	Load security Luggage boot area Boot lid/tailgate Security of parcel shelf/luggage cover	
	Method of inspection Check for	Reason for failure Support struts/mechanism

	<p>presence/security/condition and weather tightness of boot lid/tailgate support struts/mechanism and weather seal.</p> <p>Check that they support the boot lid/tailgate safely in the open position and seal correctly in the closed position. Check condition and presence of weather seals. Check for presence/security/condition of parcel shelf/luggage cover.</p>	<p>missing/insecure/leaking or damage.</p> <p>Boot lid/tailgate is not self-supporting in the fully open position.</p> <p>Damage or missing boot door/tailgate weather seal.</p> <p>Parcel shelf/luggage cover missing/insecure or damaged.</p>
17.0	Condition of body and paintwork (see detailed bodywork/paint work requirements)	
	Method of inspection	Reason for failure
	<p>Examine interior and exterior of body to identify corrosion, cracks or damage and condition of paintwork.</p>	<p>Severe corrosion causing weakening or disfigurement of structure or panels.</p> <p>Cracked panels/sections.</p> <p>Damage which is a potential hazard to the public.</p> <p>Paintwork not a uniform colour match.</p> <p>Paintwork blistered or eroded.</p> <p>Poor quality repair or repair not uniform.</p>
18.0	Body floor	
	Method of inspection	Reason for failure
	<p>Examine body floor pan to identify corrosion, cracks or damage.</p>	<p>Severe corrosion causing weakening of floor pan.</p> <p>Cracks or damage to floor pan causing weakening or potential danger to passengers.</p> <p>Repair(s) of poor quality.</p>
19.0	Interior panels Security and condition of panels Security and condition of sun visors	
	Method of inspection	Reason for failure
	<p>Examine all interior panels for security and condition.</p> <p>Examine sun visors for condition and security.</p>	<p>Insecure panels or sun visors.</p> <p>Damaged panels or sun visors</p> <p>Sun visors will not remain in closed position.</p> <p>Headlining insecure, dirty, stained or poorly repaired.</p> <p>Any raised item or hole on floor which could be a potential trip hazard.</p>
20.0	Cleanliness of vehicles	
	Method of inspection	Reason for failure

	Examine vehicle for interior and exterior cleanliness, including seating, carpets or matting and luggage area. Examine the underside of the vehicle and engine compartment for cleanliness.	Worn carpets/matting, which could be a potential hazard to passengers. Dirty or wet seating/interior trim/carpets/matting/loose objects accumulated on seat/floor//rear parcel shelf/scuttle panel/in luggage boot. External body of vehicle excessively dirty. Foul odour in vehicle. Engine or underside of vehicle in a dirty condition.
21.0	Licence Plate	
	Method of inspection Examine rear of the vehicle to check that the plate is firmly fixed to the body work or bumper.	Reason for failure Plate is insecure, damaged or dirty
22.0	Window sticker	
	Method of inspection Examine each rear passenger window to ensure current window stickers are displayed.	Reason for failure Current window stickers not displayed

BODYWORK/PAINTWORK

General

The authority has a duty to ensure that all hackney carriages and private hire vehicles which are licensed by it for the use of fare paying passengers are well maintained and are in presentable condition with no significant external damage or corrosion.

Paintwork and uniform colour

The authority recognises that vehicle paintwork can deteriorate with time and the paintwork is easily damaged yet costly and difficult to repair. The conditions relating to the standard of the paint finish reflect this. Paintwork should be uniform in colour over the whole of the vehicle and where repairs have been carried out best practice bodyshop techniques should be followed to ensure that the best colour match possible is obtained using recognised automotive re-finishing products.

Poor workmanship

Repairs should be carried out to high standards. Defects which result from poor preparation or poor application of the paint finish are likely to result in the vehicle not reaching the required standard. Such defects, including runs, 'orange peel', 'fisheyes', dust in the paint, sander marks, poor paint coverage and overspray, are not acceptable.

Cosmetic damage

The authority recognises that vehicles suffer minor 'cosmetic' damage during day-to-day use and that this type of damage can be the most difficult and the most costly to repair. The conditions reflect that this type of defect is inevitable on hackney carriages and private hire vehicles. Permitted areas of 'cosmetic' damage as detailed below subject to there being no more than three such defects on any panel and no more than ten such defects on the vehicle. Compliance with the requirements can be achieved by repairing only some of the defects where this is to the advantage of the proprietor.

A panel is the roof, front wing, rear wing, front door (including 'A' pillar) rear door (including 'B' pillar) bonnet (including the area below the windscreen) boot or tailgate, sill, front panel (including bumper) rear panel (including bumper). The vehicle will fail the test if the bumper is missing, insecure, incorrectly positioned, corroded or damaged; or if there are any protruding or sharp edges.

Scratches

Single scratches or groups of scratches which fit completely inside the test template will not cause the vehicle to fail the test unless the paint film has been broken and

rusting is evident. A scratch is where the paint film is damaged, but there is no deformation of the bodywork.

Small dents

Small dents, which fit completely inside the test template will not cause the vehicle to fail the test unless the paint film has been broken and rusting is evident. A dent is where the bodywork has been deformed as a result of an impact or other contact and may or may not include damage to the paint film.

Rust Spots

A single rust spot or a group of rust spots which fit completely inside the template will not cause the vehicle to fail the test unless the metal is corroded and unable to withstand 'thumb' pressure without crumbling or permanent distortion. Perforation of the panel due to corrosion from the underside of the panel will result in failure of the test. A rust spot is a defect caused by oxidation of the metal due to failure of the paint film to protect it but without obvious damage.

Flaking

Areas of flaking paint or lacquer which fit inside the test template will not cause the vehicle to fail the test. Flaking is where an area of the paint or lacquer film loses its adhesion to the substrate due to poor preparation, contamination, water ingress, etc.

Stone chips

Stone chips will not cause the vehicle to fail the test unless the paint film has been broken and rusting is evident. A stone chip is a defect to the paint film caused by the impact of small stones 'thrown up' by other traffic.

Replacement panels

Vehicles which have been damaged and had replacement panels fitted are acceptable as hackney carriages and private hire vehicles provided that the repairs have been carried out to an acceptable standard.

Fitting – replacement panels should be fitted as per the vehicle manufacturer's specification using approved fittings.

Alignment – replacement panels should be correctly aligned. They should be level with all adjacent panels and the gap between panels should be uniform and similar to those between original panels.

Trim

Vehicle trim serves a number of purposes and can make a significant contribution to the overall appearance of the vehicle. Bearing this in mind, the council accepts that

some items of trim are delicate and damage easily, whilst others are designed to prevent panel damage and may become damaged whilst performing that function.

Fixing – all trim should be present, correctly aligned and fixed in accordance with the manufacturer's specification.

Damage – scuffing of protective trim will not cause the vehicle to fail the test. Minor damage of 'cosmetic' trim will not cause the vehicle to fail the test.

Major accident damage

Vehicles, which have been involved in serious accidents may be used as hackney carriages or private hire vehicles provided that they have been professionally repaired. Any vehicle that is involved in major accident must be reported to the licensing section within the prescribed time as laid down in the conditions of use.

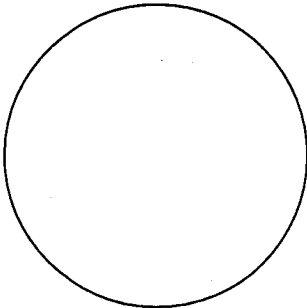
All vehicles that have been involved in an accident must be inspected by a tester at the council's nominated testing station prior to being used as a private hire or hackney carriage.

Assessment

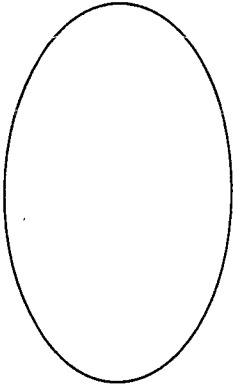
Where a vehicle tester detects evidence that a vehicle has been involved in a accident which may have caused damage to the structural integrity of the vehicle or may have caused safety critical components to become miss-aligned, the proprietor must prove to the satisfaction of the examiner that the repairs were effected to an acceptable standard or the vehicle must be submitted, at the proprietor's expense, for specialist examination at an approved centre before a licence will be granted or renewed.

Hackney carriage and private hire bodywork damage template

Scratches only

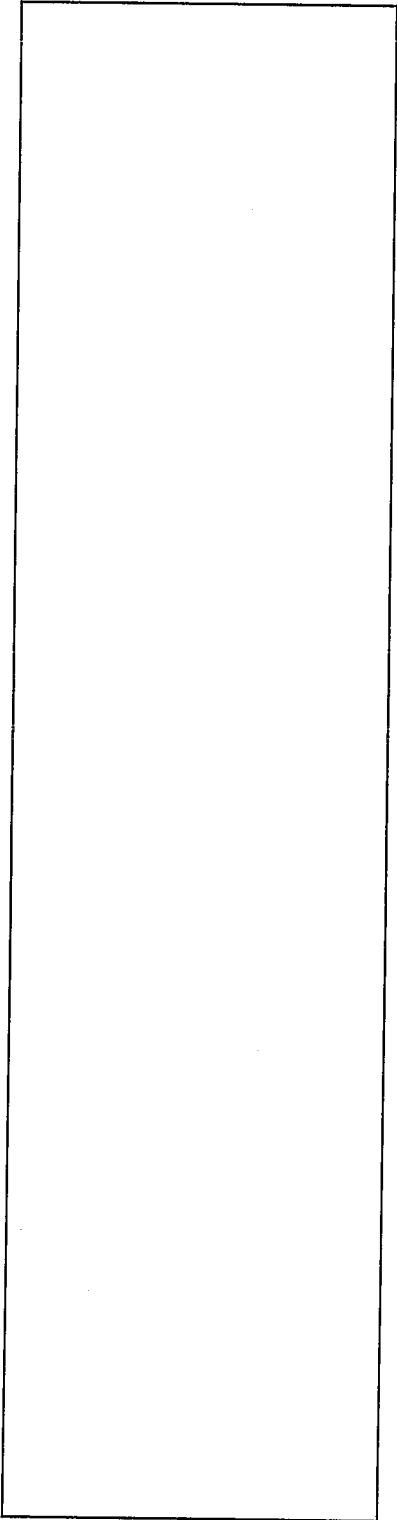


**Dents
Rust spots
Flaking paint
40mm circle (nominal)**



50mm x 30mm ellipse (nominal)

Damage must fit completely within the lines of the appropriate template in order to be acceptable. The template can be aligned to be most advantageous to the proprietor.



APPENDIX B

HACKNEY CARRIAGE / PRIVATE HIRE INSPECTION

KIER F&PS

Higher Rd, Urmston, Manchester, M41 9AP Tel: 0161 747 5795

Plate Number		Make & Model		Year of Manufacture	
VRN		Chassis number		Mileage	
Taxi Plate		Plate Expiry Date		Window Sticker Expiry Date	

A failure on any 'S' Marked items will result in the immediate suspension of the licence.

Section A – MOT Components

Lighting Equipment.

Items Tested		Manual Ref	Pass	Fail	Reasons for Failure & Comments / Advice
Front & Rear Lamps etc.	S	1.1			
Headlamps	S	1.2			
Headlamp Aim	S	1.6			
Stop Lamps	S	1.3			
Rear Reflectors	S	1.4			
Direction Indicators	S	1.5			
Hazard Warning Indicators	S	1.5			
Batteries / Carriers	S	1.9			

Steering & Suspension

Steering Control	S	2.1			
Steering Mechanism / system	S	2.2			
Power Steering	S	2.3			
Transmission Shafts	S	2.5			
Wheel Bearings	S	2.5			
Front Suspension	S	2.4			
Rear Suspension	S	2.4			
Shock Absorbers	S	2.7			

Brakes

ABS Warning Systems / Controls	S	3.4			
Condition of service brake system	S	3.3			
Condition of parking brake system	S	3.1			
Service Brake Performance	S	3.7			
Parking Brake Performance	S	3.7			

Tyres & Wheels

Tyre size & type	S	4.1			
Tyre load / speed rating	S	4.1			
Tyre condition	S	4.1			
Road Wheels	S	4.2			

Seatbelts

Mountings / Condition / Operation	S	5.1			
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General

Drivers view of the road	S	6.1			
Horn	S	6.2			
Exhaust System	S	6.3			
Exhaust Emissions	S	6.4			
General Vehicle Condition	S	6.5			
Mirrors	S	6.6			
Fuel System	S	6.7			
Registration plates and VIN Numbers	S	6.8			
Engine Mountings	S	6.1			

APPENDIX C

Vehicle Inspection & Retest Policy

You should present your vehicle for the compliance test at the Test centre up to 10 minutes before the allotted test time. You will be charged a late /non- attendance fee of £28.00 if the vehicle is not presented at the allotted test time.

Vehicle Licence Conditions require that you maintain your vehicle in a satisfactory condition at all times and that you present your vehicle for test in a clean condition. The vehicle must be sufficiently clean of oil, grease and dirt accumulations. You risk your vehicle being turned away from the test centre if you fail to comply with this requirement and being charged £28.00 for non-attendance.

You will be provided with a test report at the end of the test which will give details as to the items that have been examined and whether the vehicle has passed the test. Section A of the report refers to the MOT testable items and Section B refers to the supplementary items that are tested under the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

Table 1 below gives details of what type of retest is required for each failure type and the fee applicable.

Table 1

Failure	Action	Retest Type & Fee
Any item listed in Section A of the Inspection Sheet excluding minor items (see Table 2 below)	Suspend	Retest (£50) (Retest of failed items)
2 or less minor items from Section A of the Inspection Sheet (see Table 2 below)	Suspend	Free retest
3 or more minor items from Section A of the Inspection Sheet (see Table 2 below)	Suspend	Minor retest (£25)
Any item marked 'S' in Section B of the Inspection Sheet	Suspend	Minor retest (£25)
5 or more items in Section B of the Inspection Sheet (non 'S' marked items only)	The vehicle must be presented at the test station for further inspection within seven working days otherwise the vehicle	Minor retest (£25)

	licence will be suspended.	
4 or less items in Section B of the Inspection Sheet (non 'S' marked items only)	The vehicle must be presented at the test station for further inspection within seven working days otherwise the vehicle licence will be suspended.	Free retest

Table 2

Minor Items from Section A	
Hazard warning lamps	Rear reflectors
Direction indicators	Lamps
Seats (security)	Seatbelts (not anchorages)
Boot lid	Door
Tail board	Drop sides
Tailgate	Loading door
Sharp edges/projections on bodywork	Horn
VIN	Brake pedal anti-slip rubber
Registration plate	Steering wheel
Fuel filler cap	Mirrors
Windscreen wipers/washers	

APPENDIX D

Ages of Public/Private Hire Vehicles

Trafford Council has a policy as regards the maximum ages of public/private hire vehicles when they are first licensed:-

- Private Hire Vehicles – 4 years
- Hackney carriage Vehicles – 10 years

These maximum age limits are subject to the proviso that if an older vehicle is deemed by the Council's Transport section to be in exceptional condition it can be eligible to be licensed.

What is meant by 'exceptional condition'?

From the dictionary – *'exceptional' – rare, unusual or different.*

'condition' – state of being

For a vehicle to be regarded as in exceptional condition it must appear to be in substantially better condition than would normally be expected for a vehicle of the maximum age (see above).

Indications of which may include:-

General

- Lower than average mileage recorded
- Evidence of a high standard of maintenance

Interior

- Seats, carpet, roof lining, trim, and dashboard free from cuts, burns, scratches, extensive wear, heavy soiling and staining
- Seat padding firm
- All trim and fittings secured correctly
- Surface of driving controls free from extensive wear
- Previous use of overmats and seat covers

Under Bonnet

- Clean and tidy appearance
- No evidence of accident damage or repairs to accident damage
- No visible corrosion or evidence of repairs to corrosion damage
- Under bonnet components correctly secured
- Engine/gearbox etc. free from oil or other leaks
- No evidence of incorrect maintenance or repairs

Luggage Space

- No dampness or other evidence of ingress of water
- Trim free from cuts, burns, scratches, extensive wear, heavy soiling and staining
- No trim missing
- All trim correctly fitted and secured

Exterior

- General appearance to a high standard
- No accident or other damage
- No evidence of extensive repairs to accident damage
- No noticeable repairs to accident damage (poor quality repairs)
- No visible corrosion or evidence of repairs to corrosion damage
- Paint finish glossy and free from extensive chipping, scratches and other blemishes
- Bumpers and all trim correctly secured and aligned

The above represent examples of the indicators which may be used when assessing whether a vehicle is in exceptional condition, it is not intended as a complete checklist or inspection format.

Boyle, Joanne

From: Mike Brown <mike_e_brown@hotmail.com>
Sent: 05 February 2015 21:00
To: Boyle, Joanne
Subject: RE: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

Hi Joanne, thank you for your reply

Unfortunately I feel your answers are misplaced, and you have not clarified why Trafford charge so much for an MOT.

I have not questioned Trafford's testing policy in any way?..... No reply was needed

I do not have any issue and fully support the councils policy of two Mots per year. As stated in my email below.

My question was why are the charges so high?

You have replied stating The standard MOT fee set by VOSA is £55.00???

Incorrect I'm afraid...

The MAXIMUM any MOT garage can charge is £54.85
<https://www.gov.uk/getting-an-mot/mot-test-fees>

The time taken

Higher road garage has an appointment system just like all other MOT garages, 45 mins is the norm, I agree that some MOT'S can take over an Hr as per the VOSA website, never in my time at higher road has an MOT gone over 45 Mins.

Looking around Greater Manchester, the prices vary,

High Peak charge £54.00 for example, this is below the maximum charge as per VOSA.
<http://www.highpeak.gov.uk/hp/council-services/taxi-licensing/private-hire-operator-licenses>

Yet we have Trafford who state "Trafford Council is a well-performing, low-cost council delivering excellent services" but charge 31.5% More?

Why the big difference?

To Summarise.

APPENDIX E I

I believe that the charges for a Trafford MOT are too expensive, and there is no need for them to be this expensive, other boroughs do not charge as much, others I agree do charge more.

The amount of emails that I have received in support of my view are quite amazing.

From the responses and reply's I have received from other owners/operators, Trafford is becoming to expensive and people are actively looking to leave the Trafford license system, move to other boroughs ,but continue to work in Trafford. This is already the case with a few operators and more are likely to follow.

As this scenario grows, it will have advantages and disadvantages.

Higher road will have less Mot's to do, hopefully freeing up the busy Easter period when in the last 3 years it has taken 6 weeks to have an Mot.

Less Vehicle's registered to Trafford will reduce Moira's workload, she needs a pat on the back, she is a massive credit to Trafford, Please pass on my regards.

Trafford will lose revenue generated by Badges/Vehicle renewals and by the looks of things an expensive Mot price which im sure Higher Road do not keep all of the £71.00 per test.

I personally like keeping the money in Trafford,I like Trafford and want to continue working and growing in Trafford. I do not want to move borough.

I Feel Trafford are expensive, too slow to react to market forces, and too blinkered to see what is going on around them.

Just a small example, recently in August 2014, a potential driver applied for a private hire badge, after passing tests/medical he was awarded his badge in January 2015.

5 Mths after starting the process. In many boroughs now, he would of had his badge in under a week, and started providing for his family 4 mths earlier. This is another reason why operators are moving out.

I am not here to argue, I thought Trafford licensing are in place to help operators/ drivers as well as the public to operate safely and within the law and to be competitive, I cant really say that I see this happening. I see more rule changes and higher prices, with a trade that is suffering.

Regards
Mike Brown

I-cabs
07949 149 094

From: Joanne.Boyle@trafford.gov.uk
To: mike_e_brown@hotmail.com
CC: Joe.Marriott@trafford.gov.uk

Subject: RE: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

Date: Thu, 5 Feb 2015 17:29:50 +0000

Dear Mr Brown

I refer to your email below.

I would like to respond by first stating that the Council has a duty to grant vehicle licences only if it is satisfied that a vehicle is in a suitable mechanical condition; and is safe and comfortable.

The legislation does not define a standard of vehicle to be licensed; although there is case law which defines safe to mean 'safe to be used as a private hire/hackney carriage vehicle' not just 'safe to be used as a vehicle'. Therefore, it is at the Council's discretion what test it will require to satisfy itself that a vehicle is suitable.

The granting of such a licence is viewed by the public as an endorsement that a vehicle is safe and suitable. As licensed private hire or hackney carriage vehicles provide a service to the public the Council is entitled to expect that its licensed vehicles meet high standards. Consequently, Trafford's criteria is higher than the standard MOT test and also includes standards for the external and internal condition of the vehicle.

Private vehicles usually have a very different annual mileage to those used as licensed private hire or hackney carriages; for example, family cars often average around 10,000 miles per annum whilst licensed vehicles may average significantly more. For a number of reasons private hire and taxis are subject to more wear and tear, therefore, it is considered two tests per annum is not an onerous requirement, particularly as some local authorities test three times per year.

As you state in your email, the average cost of an MOT can be as low as £40.00. However, many providers use MOT testing as a loss leader offering discounts to encourage business. The standard MOT fee set by VOSA is £55.00. The charge levied by the Council for the Compliance Test includes the cost of the test and additional compliance checks, and administration of the testing system.

In respect of your question about the time taken to do the additional checks; VOSA do not set a standard time period in which a test should be done. In its view a test will take as long as it takes whether that means the test takes 30 minutes or an hour to complete. The Council's Testing Station has fixed appointment times which are 45 minutes apart because it would be impossible to administer the tests otherwise. However, the length of the test (including the additional checks) may take longer or be over sooner depending on the condition of the vehicle.

All the fees and charges will be considered by full Council on the 18th February 2015, the taxi fees will then be advertised in the Advertiser. If you still wish to object to the proposed fees you can do so by writing to me during the formal objection period.

However, I trust the above clarifies the reasons for the Council's testing policy and its fee structure.

Regards

Joanne Boyle

Team Leader (Licensing)
Licensing Section
Regulatory Services

Trafford Council
Trafford Town Hall
Talbot Road
Stretford
M32 0TH
Tel: 0161 912 4129

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From: Mike Brown [mailto:mike_e_brown@hotmail.com]

Sent: 03 February 2015 17:20

To: Boyle, Joanne; Atlas Travel; B & S Travel; CALYDEL; colin rea; DMC Travel Dave Cheetwood; Guy Morgan J & M Travel; Mike Bevan; New MoonRobin Hood1; New MoonRobin Hood2; New MoonRobin Hood3; ParkshieldAbacus; Sale Airport Services; Scotts & Cheshire CarsAnytime PH; Scotts Steve Tilston; Stallion Travel; Station Cars; Steve Tandy Passenger Cars Group; Wythenshawe Private HireClub Cars

Cc: Douglas, Moira; Bate, Stephen

Subject: RE: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

I would like to oppose the changes in price for Trafford Mot's

A normal MOT once a year for any age of car is approx £35/£40.00

Why do we have to pay £71.00? (Twice a Year)

More time taken? - NO

A Better MOT? - NO

Valet included? -NO

I have heard the excuse that more things are tested? If this is correct then why do these additional checks not take any more time?

Why do Trafford insist on these additional test's?, but VOSA and the government do not?

How can you justify these prices which are nearly more than double what 99.9% of the general car driving public have to pay and we have to do this twice a year?

A Normal car owned by the general public per year £40.00

A registered Taxi/Private hire per year £ 142.00

All I can think of is GREED from the council and the person/people who propose these prices.

A normal MOT takes approx 45 Mins to carry out.

The same time it takes to carry out an MOT for a Trafford taxi / Private Hire!

I do agree with having 2 MOT's per year

Why add the statement below to your emails?

"Trafford Council is a well-performing, low-cost council delivering excellent services to make

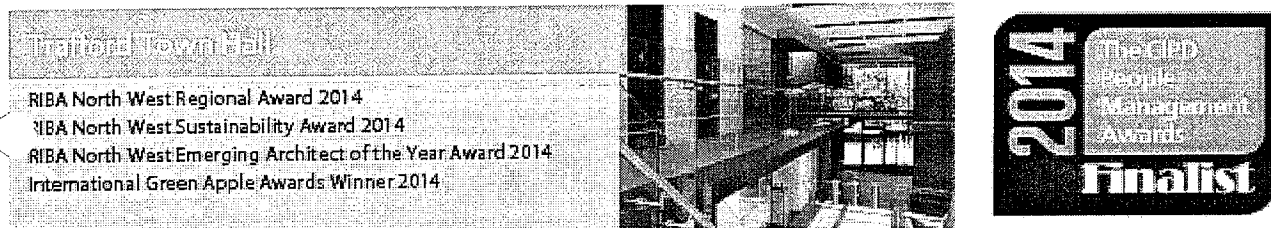
Trafford a great place to live, learn, work and relax"

Are you really a low cost council? - your MOT prices disagree!

If you want to say you are in line with other councils - why? - why can you not follow the statement Above? - instead of following the herd?

Regards

Mike Brown
I-cabs



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[DELIBERATELY LEFT BLANK]

Boyle, Joanne

From: Abbaas Kholwadia <newmoon94@hotmail.co.uk>
Sent: 06 February 2015 22:18
To: Boyle, Joanne
Subject: RE: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

what a joke which fool makes these rules
i'd love to talk to him/her

From: Joanne.Boyle@trafford.gov.uk
To: admin@atlas-travel.co.uk; bernard@bs-travel.co.uk; dave@calydel.com;
colinrea.transport@ntlworld.com; david.cheetwood@ntlworld.com; pmjtravel@btconnect.com;
mike_e_brown@hotmail.com; mikemjb@btinternet.com; enquiries@newrobinhood.info;
newmoon94@hotmail.co.uk; oomer_7860@hotmail.com; info@abacus-travel.co.uk;
dhughes470@btinternet.com; scottcheshire@ghotmail.co.uk; stephentilston@hotmail.com;
alliontravel@gmail.com; stationcarsalty@gmail.com; steven@pcgcars.co.uk;
gary@clubcarsmanchester.com
CC: Moiria.Douglas@trafford.gov.uk; Stephen.Bate@trafford.gov.uk
Subject: PROPOSED CHANGES TO TAXI TESTING PROCEDURES
Date: Tue, 3 Feb 2015 13:00:29 +0000

Dear Operator

I am writing to advise you that the Council has reviewed the procedures at the Higher Road Testing Station and is proposing to introduce a new fee structure for retests, age tests and accident damage checks.

From the 1st April 2015 the Council proposes to introduce the following:

New Inspection manual – See attached
New Retest Policy – See attached
New Inspection Sheet – See attached

All age tests will be subject to a charge of £25.
All accident damage checks will also be subject to a £25 charge.

It is also proposed that the requirement to carry a fire extinguisher and first aid kit will be removed from the vehicle proprietor conditions.

All fees and charges must be approved by Full Council and any fees relating to private hire and taxi licensing will be advertised in the Advertiser in February.

The Public Protection Sub-Committee will be considering the retest policy proposal and fire extinguisher/first aid kit conditions at its meeting on the 19th February 2015.

If you would like to comment on all these proposals please contact licensing@trafford.gov.uk by 18th February 2015.

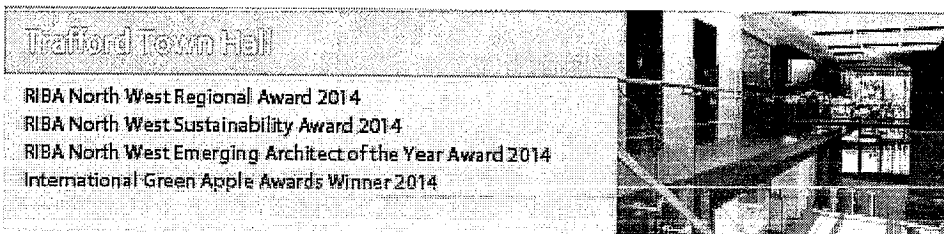
You may wish to pass this information to your drivers so that they are also aware of the proposed changes.

Regards

Joanne Boyle

Team Leader (Licensing)
Licensing Section
Regulatory Services
Trafford Council
Trafford Town Hall
Talbot Road
Stretford
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Tel: 0161 912 4129

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Boyle, Joanne

From: Guy Morgan <pmjtravel@btconnect.com>
Sent: 16 February 2015 12:22
To: Boyle, Joanne
Subject: RE: PROPOSED CHANGES TO THE TAXI TESTING PROCEDURES

Hi Jo

There is no problem with time, I know how busy you are

With all due respect that is complete and utter rubbish.

The age test was conducted at the Town Hall by the enforcement officer as was the tint test, it does not require two technicians and even if it did (they look at the bodywork nothing else) there are two technically qualified staff conducting the compliance test, and, therefore, that meets the criteria you specify below. Therefore there should be no charge and to impose one is scandalous!

Perhaps TMBC can now understand why so many people opt to drive Rossendale Taxis as Private Hire Vehicles in this borough; these Council edicts force owners to make such drastic decisions, diminishing Trafford Council's income. This also places the public at risk with drivers and vehicles being licensed elsewhere. Only last night my wife followed a "Rossendale Taxi" plate 116 from Barton Dock Road, - Davyhulme Road belching clouds of black smoke out the exhaust.

As for legal appeals, under the Public Health Act 1936 you can appeal anything the local Authority does.

Regards

Guy

From: Boyle, Joanne [mailto:Joanne.Boyle@trafford.gov.uk]
Sent: 16 February 2015 11:58
To: 'Guy Morgan'
Subject: RE: PROPOSED CHANGES TO THE TAXI TESTING PROCEDURES

Guy

I apologise for not getting back to you sooner, but I have been waiting for the figures from Kier in respect of their charges.

I respect of the charges for the age test as the vehicle must undergo an extensive full body condition check, and the associated paperwork must have 2 signatures of technically qualified staff (a Council requirement) then both are required to complete the check.

Including the inspection, associated administration / paperwork and liaison with the driver, Kier would levy a charge of 15 minutes labour. As this involves 2 technicians clearly this would conclude as 30 minutes, as a standalone test the previously stated charge would be £25.00 but as this is in conjunction with a compliance test then Kier would reduce this to £12.50.

Should the fees be approved by the Public Protection Sub-Committee, there is no right of appeal to the Magistrates' Court.

Regards

Joanne Boyle

Team Leader (Licensing)
Licensing Section
Regulatory Services
Trafford Council
Trafford Town Hall
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Tel: 0161 912 4129

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From: Guy Morgan [mailto:pmjtravel@btconnect.com]

Sent: 09 February 2015 17:12

To: Boyle, Joanne; 'Atlas Travel'; 'B & S Travel'; 'CALYDEL'; 'CRT Transport'; 'DMC Travel Dave Cheetwood'; 'ICABS'; 'MJB Travel'; 'New Moon/Robin Hood1'; 'New Moon/Robin Hood2'; 'New Moon/Robin Hood3'; 'Parkshield/Abacus'; 'Sale Airport Services'; 'Scotts & Cheshire Cars/Anytime PH'; 'Scotts Steve Tilston'; 'Stallion Travel'; 'Station Cars'; 'Steve Tandy Passenger Cars Group'; 'Wythenshawe Private Hire/Club Cars'

Subject: RE: PROPOSED CHANGES TO THE TAXI TESTING PROCEDURES

Hi Joanne,

Sounds as though we are getting closer to an agreement.

I would like TMBC to inform us all as to what this £12.50 charge is for, the vehicle undergoes a rigorous test and that test states the vehicle is suitable for use as a Taxi/Private Hire vehicle, there is no **EXTRA** inspection and the test fee is already more expensive than a normal MOT for no good reason.

Kindly furnish us with a comprehensive breakdown of the accounts covering the industry as a whole showing us exactly what these fees cover; I for one do not believe this fee is anything other than a total rip off.

I assume that if this is approved by the "Licensing Panel" there will still be a right to appeal through the Magistrates Court.

Regards

Guy Morgan.

From: Boyle, Joanne [mailto:Joanne.Boyle@trafford.gov.uk]

Sent: 09 February 2015 16:51

To: Atlas Travel; B & S Travel; CALYDEL; CRT Transport; DMC Travel Dave Cheetwood; Guy Morgan J & M Travel; ICABS; MJB Travel; New Moon/Robin Hood1; New Moon/Robin Hood2; New Moon/Robin Hood3; Parkshield/Abacus; Sale Airport Services; Scotts & Cheshire Cars/Anytime PH; Scotts Steve Tilston; Stallion Travel; Station Cars; Steve Tandy Passenger Cars Group; Wythenshawe Private Hire/Club Cars

Subject: PROPOSED CHANGES TO THE TAXI TESTING PROCEDURES

Dear Operator

Further to my previous email, it is proposed to bring the annual age test in line with one of the two yearly compliance tests. This will mean that, if approved, vehicle owners will not require a separate appointment for an age test for an existing licensed vehicle.

However, the age test will still be considered a separate inspection to the compliance test incurring costs relating to time taken to do the additional check by two testers, in line with current procedures.

Therefore, the following policy is proposed to become effective from the 1st April 2015.

- **One of the two yearly compliance tests will include an age test, where applicable, at an additional charge of £12.50.**
- **On renewal of the licence the vehicle owner will be required to provide a copy of the age test certificate showing that a test has been done within the last 6 months. If an age test has not been done the licence will not be renewed and the vehicle will be subject to a new application and an age test at the full fee of £25.**

If you would like to comment on the proposal to bring the age test in line with the compliance test, please respond by the 6th March 2015. Your comments will be included in a report to the Public Protection Sub-Committee at its meeting on the 19th March 2015 when these proposals will be considered.

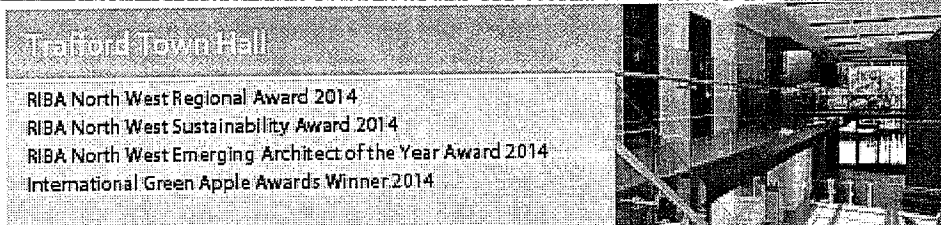
All fees and charges will be notified in the Advertiser on the 19th February 2015. If you wish to object to the proposed fees you should submit your objections between the 19th February and the 18th March 2015. Any objections to the fees will also be considered at the above meeting.

Regards

Joanne Boyle

Team Leader (Licensing)
Licensing Section
Regulatory Services
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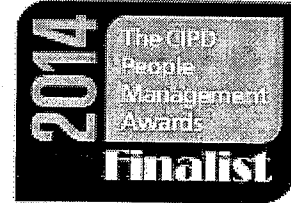
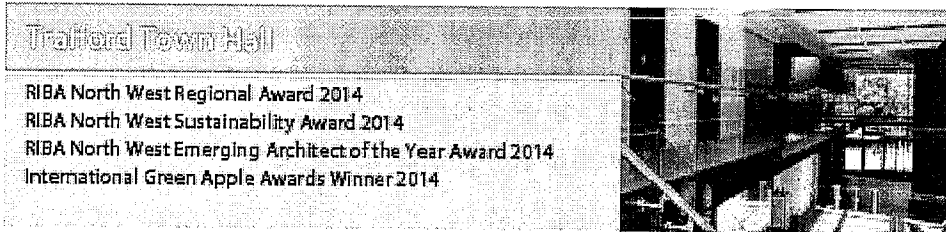
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The Public Protection Sub-Committee will be considering the retest policy proposal and fire extinguisher/first aid kit conditions at its meeting on the 19th February 2015.

If you would like to comment on all these proposals please contact licensing@trafford.gov.uk by 18th February 2015.

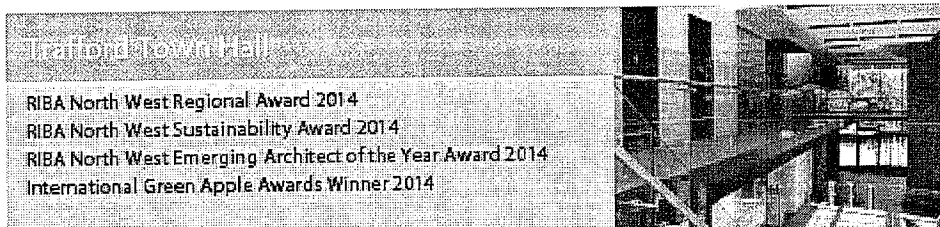
You may wish to pass this information to your drivers so that they are also aware of the proposed changes.

Regards

Joanne Boyle

Team Leader (Licensing)
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Boyle, Joanne

From: Guy Morgan <pmjtravel@btconnect.com>
Sent: 03 February 2015 17:03
To: Boyle, Joanne; 'Atlas Travel'; 'B & S Travel'; 'CALYDEL'; 'CRT Transport'; 'DMC Travel Dave Cheetwood'; 'ICABS'; 'MJB Travel'; 'New Moon/Robin Hood1'; 'New Moon/Robin Hood2'; 'New Moon/Robin Hood3'; 'Parkshield/Abacus'; 'Sale Airport Services'; 'Scotts & Cheshire Cars/Anytime PH'; 'Scotts Steve Tilston'; 'Stallion Travel'; 'Station Cars'; 'Steve Tandy Passenger Cars Group'; 'Wythenshawe Private HIre/Club Cars'
Cc: Douglas, Moira; Bate, Stephen
Subject: RE: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

Ladies and Gentlemen

I believe this is a total rip off.

I was told over two years ago that the age test would be incorporated into the test as and when required, there is no reasonable excuse for this not to be the case.

Regards

Guy Morgan

From: Boyle, Joanne [<mailto:Joanne.Boyle@trafford.gov.uk>]
Sent: 03 February 2015 13:00
To: Atlas Travel; B & S Travel; CALYDEL; CRT Transport; DMC Travel Dave Cheetwood; Guy Morgan J & M Travel; ICABS; MJB Travel; New Moon/Robin Hood1; New Moon/Robin Hood2; New Moon/Robin Hood3; Parkshield/Abacus; Sale Airport Services; Scotts & Cheshire Cars/Anytime PH; Scotts Steve Tilston; Stallion Travel; Station Cars; Steve Tandy Passenger Cars Group; Wythenshawe Private HIre/Club Cars
Cc: Douglas, Moira; Bate, Stephen
Subject: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

Dear Operator

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From the 1st April 2015 the Council proposes to introduce the following:

New Inspection manual – See attached
New Retest Policy – See attached
New Inspection Sheet – See attached

All age tests will be subject to a charge of £25.

All accident damage checks will also be subject to a £25 charge.

It is also proposed that the requirement to carry a fire extinguisher and first aid kit will be removed from the vehicle proprietor conditions.

All fees and charges must be approved by Full Council and any fees relating to private hire and taxi licensing will be advertised in the Advertiser in February.

Boyle, Joanne

From: Stallion Travel Manchester <stalliontravel@gmail.com>
Sent: 03 February 2015 20:27
To: Boyle, Joanne
Cc: Atlas Travel; B & S Travel; CALYDEL; CRT Transport; DMC Travel Dave Cheetwood; Guy Morgan J & M Travel; ICABS; MJB Travel; New Moon/Robin Hood1; New Moon/Robin Hood2; New Moon/Robin Hood3; Parkshield/Abacus; Sale Airport Services; Scotts & Cheshire Cars/Anytime PH; Scotts Steve Tilston; Station Cars; Steve Tandy Passenger Cars Group; Wythenshawe Private Hire/Club Cars; Douglas, Moira; Bate, Stephen
Subject: Re: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

Hi Trafford Licensing Unit Team

Lets keep things simpler and cheaper. The taxi trade is nose diving and is getting worse every year.

2 MOT's per year are ok but Age Test should be part of the MOT just like the rest of the councils. This will reduce the number of visits to the garage and simplify things.

2 visits / Year to the Garage

Regards

Hamid

On 3 February 2015 at 13:00, Boyle, Joanne <Joanne.Boyle@trafford.gov.uk> wrote:

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APPENDIX E 4

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You may wish to pass this information to your drivers so that they are also aware of the proposed changes.

Regards

Joanne Boyle

Team Leader (Licensing)

Licensing Section

Regulatory Services

Trafford Council

Trafford Town Hall

Talbot Road

Stretford

Boyle, Joanne

From: Colin Rea <colinrea.transport@ntlworld.com>
Sent: 04 February 2015 08:39
To: Boyle, Joanne; Atlas Travel; B & S Travel; CALYDEL; DMC Travel Dave Cheetwood; Guy Morgan J & M Travel; ICABS; MJB Travel; New Moon/Robin Hood1; New Moon/Robin Hood2; New Moon/Robin Hood3; Parkshield/Abacus; Sale Airport Services; Scotts & Cheshire Cars/Anytime PH; Scotts Steve Tilston; Stallion Travel; Station Cars; Steve Tandy Passenger Cars Group; Wythenshawe Private Hire/Club Cars
Cc: Douglas, Moira; Bate, Stephen
Subject: Re: PROPOSED CHANGES TO TAXI TESTING PROCEDURES

Hi Joanne

I agree with most of the changes, "up to the vehicle owner to make sure vehicle is road worthy if it fails mot then they have no one else to blame", the only thing I have a problem with is the charges for annual age test for vehicles that are already plated, this should be incorporated into the mot as the price is already over inflated and they already check body / paint / damage and for the amount we pay for plates and tests I think we should be getting a better service IE the amount of time it takes to get a vehicle plated due to lack of manpower in both Keir and Trafford it takes far too long to get a vehicle plated on busy times of the year it can take over 8 weeks to plate a vehicle due to only 8 mots a day and having to wait a week or so for each council appointment (council cut backs)

I also think we should be copying Manchester and Stockport removing plates from dangerous vehicles until all repairs have been completed and checked, penalize the bad operators not us all

Good Luck

Colin

On 03/02/2015 13:00, Boyle, Joanne wrote:

Dear Operator

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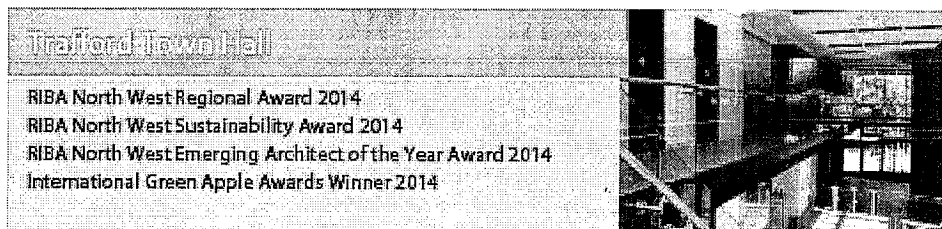
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Regards

Joanne Boyle

Team Leader (Licensing)
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Boyle, Joanne

From: Bernard O'Connell <bernard@bs-travel.co.uk>
Sent: 05 February 2015 13:52
To: Licensing
Subject: Increase in charges for Private Hire Vehicles

Good Afternoon

In response to your recent email regarding the above:-

We strongly object to the proposals set out in said email, Trafford pride itself on being 'a well performing, LOW COST council delivering excellent services to make Trafford a great place to live, WORK and relax', how can you justify this statement when you are proposing to charge us even more money than you do at present? Private Hire vehicles have to have 2 compliance (MOT) tests per annum, even if said vehicle is brand new! The cost of this is at present £142, an MOT (which is the same as a compliance test) costs anywhere from £30-£50 elsewhere, the 'age test' which takes approximately 5 minutes is free at present, how can you justify a £25 charge? Accident damage tests again are free, how much an hour are you proposing to charge for this service? I estimate this works out at £300 per hour!!!

With the rising cost of insurance and the proposed increase in charges Trafford Council will in effect encourage what is already happening, ie 'out of town' vehicles and drivers working in the Borough of Trafford, not licensed by Trafford.

I cannot see the logic behind removing the necessity of a fire extinguisher and first aid kit in vehicles, surely this is an added security for passengers?

Regards

Bernard & Sue O'Connell

