

You are requested to attend a meeting of the Licensing Committee to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 28 August 2013 at 18:15.

Agenda

- 1 Appointment of Chairman
- 2 Appointment of Vice-Chairman
- 3 Apologies.
- 4 Minutes of the meeting of the Licensing Committee held on 28 May 2013 (attached).
- 5 Public Question Time.
- 6 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 7 Licensing Update Report. Report of the Licensing Officer (attached).
Reporting Officers: Olivia Denis
John Rendell
- 8 Part I - Testing Regime for Hackney Carriages and Private Hire Vehicles. Report of the Licensing Manager (attached).
Reporting Officer: Ian Carter
- 9 Part II - Testing Regime for Hackney Carriages and Private Hire Vehicles. Report of the Licensing Manager (attached).
Reporting Officer: Ian Carter

Bruce Lang
Assistant Chief Executive

22 August 2014

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

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Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email r.bryant@tauntondeane.gov.uk

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Licensing Committee Members:-

Councillor J Hunt	(Chairman)
Councillor S Coles	(Vice-Chairman)
Councillor J Allgrove	
Councillor A Beaven	
Councillor K Durdan	
Councillor A Govier	
Councillor M Hill	
Councillor L James	
Councillor R Lees	
Councillor S Lees	
Councillor I Morrell	
Councillor B Nottrodt	
Councillor J Reed	
Councillor F Smith	
Councillor Mrs E Waymouth	

Licensing Committee – 6 March 2013

Present: Councillor Hunt (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, Beaven, Brooks, Mrs Hill, Mrs S Lees, Meikle,
Mrs Reed, Gill Slattery, Swaine, Mrs Waymouth and A Wedderkopp.

Officers: Ian Carter (Licensing Manager), John Rendell (Licensing Officer) and Emma Hill
(Corporate Support Officer)

(The meeting commenced at 6.15 pm)

1. Apologies/Substitution

Apologies: Councillor Miss Durdan, R Lees, Miss James and Nottrodt.

Substitution: Councillor A Wedderkopp for Councillor R Lees.

2. Minutes

The minutes of the meeting of the Licensing Committee held on 19 December 2012 were taken as read and were signed.

3. Declarations of Interest

Councillors Brooks and Mrs Waymouth declared personal interests as Members of Somerset County Council. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor Mrs Allgrove declared a personal interest as the Vice-Chairman of the Somerset Association of Local Councils.

4. Licensing Update Report

Considered report previously circulated, which provided an update on the activities of the Licensing Service under the Licensing Act 2003, Gambling Act 2005 and Taxi Legislation together with other general licensing matters. This report was produced to keep the Council's statutory committee up to date with current arrangements and statistics relating to the Licensing Service.

Summary of activity relating to the Licensing Act 2003:-

- Application numbers had remained consistently high for this quarter.
- There had been an increase of 20 Temporary Event Notices (TEN's) during January compared to last year. This might be due to groups and organisation planning ahead.

Applications under the Gambling Act 2005, including renewals, had stayed fairly similar to the same period in both 2011 and 2012.

With regard to taxis, reported that the number of drivers (237) was lower than this point last year when the figure stood at 251.

There had been very little change in the number of permits held within Taunton Deane relating to Animal Welfare Licensing, Street Trading and Pavement Cafes.

Summary of activity relating to Other Licensing:-

- There had been a big increase in the number of Scrap Metal Dealer registrations compared with the same period last year.
- Permits and Licences issued for Caravan Sites, Motor Salvage Operators, Scrap Metal Dealer Registrations and Sex Shop Licences had remained similar to the same period in 2012.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Had the Licensing Department had any problems with TEN's?
Most were agreed without problems. There would be more information to follow with regard to Central Government proposing to de-regulate areas of the Licensing Act around Community Groups.

Cumulative Impact Policies (CIP)

“Cumulative impact” meant the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

The current situation within Taunton Deane was that although there were sporadic concerns expressed to the Licensing Department regarding potential negative impact on the Licensing Objectives, no clear evidence of a consistent pattern within any particular area could be established.

With support from partner agencies the Licensing Team was actively pursuing the application of other measures, most prominent being the use of education and mediation, to limit any detrimental impact on the licensing objectives within the area.

In conclusion, the overall opinion of the Licensing Authority was that there were no areas within the district where the number, type or density of premises selling alcohol was high at the present time. It was felt that the necessary evidential basis for a special policy could not be established and the best way forward would be the continuation of the current partnership approach of education and mediation across Taunton Deane.

There were no indications that this approach would not continue to be successful. However, should monitoring of intelligence, statistics and concerns indicate otherwise a further report on this matter would be brought back to the Committee for consideration.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Could the Council base the need for a CIP on concentration in a particular part of the town – for example East Street and East Reach rather than on a numerical basis? *The Council would need evidence before using a CIP.*

Until evidence of problems was produced in certain areas then the Licensing Officer would be unable to re-act. The Licensing Act dealt with impact.

- Concerns were raised in connection with how stretched out the Town Centre of Taunton was. This would be part of the problem for a CIP. Would the Council still operate a No re-admittance Policy? *This policy was welcomed by local businesses and enforced by the Police. The policy was flexible in relation to smokers requiring to leave the premises to smoke outside. The Council had been trying to concentrate new premises as part of the town centre regeneration encouraging people and businesses to take up already available plots.*
- A suggestion was made about using 'Mystery Drinkers' to investigate how businesses handled people being admitted or not?

Taxis Forum Update

The Licensing Officer gave a verbal update in relation to the recent taxis forum held on 5 March 2013.

- There were five members of the trade present at the meeting.
- The Council had secured 60 places on a new BTEC qualification available through the Government.
- A review of the Council's Compliance Policy would be undertaken with the inclusion of taxis trades and test stations in the consultation.
- An update on the project to move the Taxi Rank on Corporation Street to Hammet Street had also been discussed.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Would the Council be approaching individual members of the trade with regard to the review of the Compliance Policy? Concerns were expressed over the suggestions that might be received.
- Would the Council actively encourage members of the taxi trade in the Taunton Deane area to take up the BTEC qualification? Should obtaining the qualification become mandatory? *The advantages of making the qualification mandatory were acknowledged and would be considered further by the Committee and the Council.*
- Could a badge or sticker be issued to those drivers that had taken qualification?
- A full appraisal should be presented to the committee before considering making the qualification mandatory. Making this mandatory could mean that drivers would increase their fares meaning they might become too expensive for poorer residents of Taunton.
- The Council should encourage drivers to become professional by either making it mandatory or highly recommended before obtaining a licence in Taunton Deane. *The officers would put together a report with all the options available to the Committee. The Committee would need to consider how this would affect 'Grandfather Rights'.*
- The mandatory route would mean that drivers would need to qualify before getting a licence so this should not affect fares.

The qualification could be a mandatory element for new drivers only. Licenses were currently only valid for one or three years. The mandatory element could therefore be introduced in stages.

- Was there any evidence of non-professional drivers? Had the department had complaints? Was there any need to re-train or alter the current requirements if the Council did not have any reason to? Managers and owners of businesses dealt with any issues, complaints and problems internally.
- Members were encouraged by the opening of second testing station. What had been the up take of this new testing station?
The Licensing Department reviewed all certificates returned to the Council from the testing stations and there had been some uptake of the new station.

Street Traders Policy and Consultation Update

The Licensing Officer dealing with this project had met and consulted with all current street traders for comments, suggestions and opinion on the new Street Traders Policy. This policy had also been circulated to other responsible bodies and organisations. They were generally happy with the current situation connected to the Street Traders.

During the discussion of this item, Members made comments and statements and asked questions which included: - (Responses are shown in italics)

- Would the new policy be able to do something about 'Chuggers' or Face to Face Detail Collectors? Could it enforce some rules and regulations or even stop them completely? *This was a perennial interest. The Council had no powers over these groups of 'traders'. Some Local Authorities had created and introduced Street Management Agreements but this was only a voluntary agreement.*
- Concerns were raised around the placement of pitches in relation to current permanent businesses such as County Stores or Hatchers and that the Council needed more control around Street Traders and 'Chuggers'.
Taunton Deane currently did not operate a pitch system for Street Traders.
- The bottom of the High Street felt a bit congested and blocked with the number of Street Traders. With the introduction of the Street Traders Policy a single lines of 'pitches' could be introduced to free up the bottom end of High Street.
- Street Traders might not want to move to permanent premises due to the cost of doing so. This would mean a loss of income.
- Concerns were raised about allowing permanent businesses dictating what was outside their businesses. What the Council needed to do would be to control the number and type of Street Trading businesses within the Town Centre. The Council also needed to consider what suited Taunton in the way of Street Traders. *The Council had suggested to the Government that a review should take place before bringing in the legislation. The control of Street Traders needed to be with local government.*

Resolved that:-

- (1) The update report be noted;

- (2) It be recommended that Taxi Drivers be actively encouraged to take up the available places for the BTEC qualification and that a report be submitted to the next meeting for the Committee to review and consider future options relating to this qualification and whether it should become mandatory; and
- (3) A six monthly update report on the Cumulative Impact Policy in the Taunton Deane area be submitted to the Committee.

(The meeting ended at 8:00 pm)

Declarations of Interest

Licensing Committee

- Members of Somerset County Council – Mrs Waymouth
- Employee of Somerset County Council – Councillor Mrs Hill
- Vice-Chairman of Somerset Association of Local Council – Councillor Mrs J Allgrove
- Regular User of Taxis – Councillor R Lees
- Director of Southwest One – Councillor B Nottrodt

Taunton Deane Borough Council

Licensing Committee – 28 August 2013

Licensing Update Report

Report of the Licensing Officer

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

This report provides an update on the activities of the Council's Licensing Team, changes to legislation, current consultations and other general licensing matters.

2. Background

- 2.1 This report is produced to keep the Council's statutory committee up to date with current arrangements and statistics relating to the Licensing Service.

3. Report

3.1 Applications received and licences in force

The numbers of applications received for each of the regimes administered by the Licensing Team during the first quarter of the year are shown in comparison with those received for the same quarter in the preceding two years at **Appendix 1**. The numbers of licenses in force and notices given at the end of July 2013 are shown at **Appendix 2**.

3.2 Hearings

Since the last meeting of this Committee on 06 March 2013, three Licensing Sub Committee hearings have been held to determine licence applications received under The Licensing Act 2003. All premises licences were granted subject to additional conditions being attached for the following premises; 32 High Street, Wellington on 11 July 2013, Khode & Aloha Cocktail Bar, 43 -45 East Street, Taunton on 15 July 2013 and Riviera, 2 Bridge Street, Taunton on 29 July 2013.

3.3 Forums

Rather than hold a Taxi Forum to consider the proposed plate test which is the subject of a separate report to this Committee, copies of the proposed inspection sheet were sent out to forum members for consideration at their convenience.

3.4 Changes to legislation

Recent amendments to Schedule 1 of the Licensing Act 2003 – Provision of Regulated Entertainment have been introduced through the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013. These amendments build on those changes introduced through the Live Music Act 2012 and provide a further set of exemptions for a number of activities that previously required a license. A summary of the definition of regulated entertainment and the exemptions is set out in **Appendix 3**.

- 3.5 The Scrap Metal Dealers Act 2013 is expected to come into force in early October 2013. The Act will repeal the Scrap Metal Dealers Act 1964 and Part 1 of Vehicles (Crime) Act 2001 and introduce in their place a regulatory regime for scrap metal dealing and vehicle dismantling. The Act will provide Local Authorities with powers to better regulate these industries including a power to refuse to grant a licence or revoke licences if the dealer is considered 'unsuitable'. Commencement of the Act is dependent upon a national register of scrap metal dealers being established by the Environment Agency.

3.6 Consultations

The 'Community Film Exemption Consultation' was launched on 04 July 2013 by the Department for Culture Media and Sport. The consultation seeks views on two basic options, keep things as they are or allow "not-for-profit" film exhibitions in community venues between 8am and 11pm, provided that the exhibitor ensures that the screening abides by any age classification ratings. Views on some potential variations to the second option are also being sought. The consultation ends on 28 August 2013. Details of the intended responses by the Licensing Manager are set out in **Appendix 4**.

3.7 Projects

The Licensing Team is currently undertaking a full review of all its policies, procedures and processes to aid resilience and ensure good governance is maintained. Following a recent challenge to the Council's accounts, methods of fee construction are also being reviewed for those fees over which there is local discretion in the level of cost recovery.

3.8 Nominated Testing Stations

Through advertisements in the Somerset County Gazette (on Thursday, 02 May 2013 and Thursday, 13 June 2013) expressions of Interest were sought from VOSA testing stations within Taunton in becoming the Council's Nominated Testing Station for Taxi testing from January 2014. Only one expression of interest was received in response to the advertisements. That response was from The Service Centre which is our existing nominated testing station. The Chair of the Licensing Committee has agreed their appointment and a new Service Level Agreement is being prepared.

The Service Level Agreement will be more robust in its conditions with regard to communication and control measures.

4 Finance Comments

None

5 Legal Comments

The legal implications are set out within the report.

6 Links to Corporate Aims

As an update report there are no links to specific corporate aims. However if the Licensing function were not carried out in an efficient manner, complaints or legal challenges may be brought that could undermine the work being done to support the Council's Corporate Strategy.

7 Environmental and Community Safety Implications

None identified.

8 Equalities Impact

As an update report there are no equality impacts upon service users, employees or the wider community. Any new policies, procedures and processes implemented by the Licensing Teams undertaking of project work will be subject to the requirement of an Equality Impact Assessment.

9 Risk Management

None identified.

10 Partnership Implications (if any)

None identified

11 Recommendations

That the report be noted.

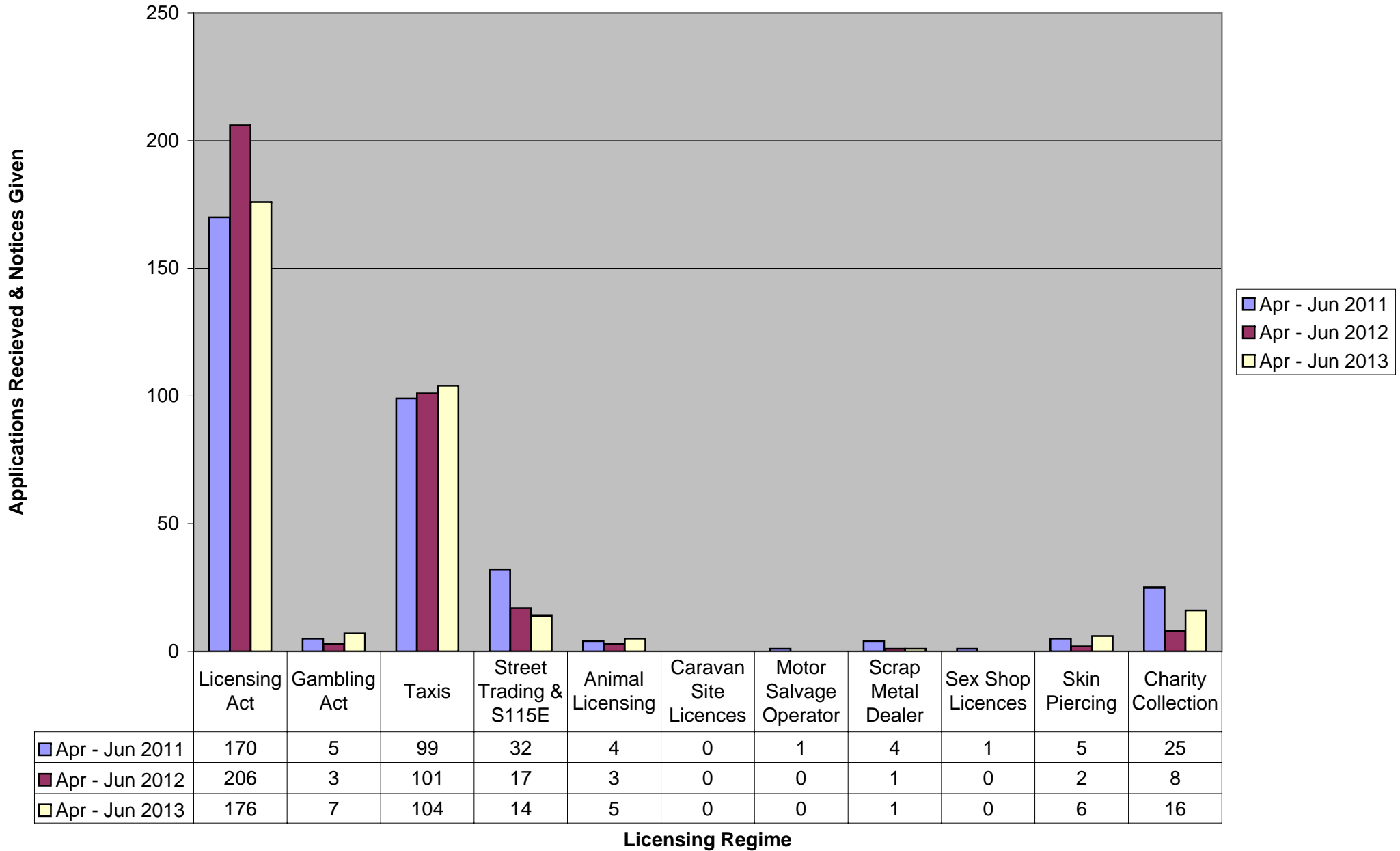
Contact:

Olivia Denis, Licensing Officer

Tel: 01823 356343

E-mail: o.denis@tauntondeane.gov.uk

Applications Received & Notices Given



Licences Issued and Notices Given

These figures show the number of licences in force at the 31st July 2013 and the number of notices given since commencement of the relevant legislation

Licensing Act 2003 Premises Licences	411
Licensing Act 2003 Club Premises Certificates	30
Licensing Act 2003 Personal Licences	1133
Licensing Act 2003 Temporary Event Notices	2423
Gambling Act 2005 Club Machine Permit	8
Gambling Act 2005 Licensed Premises Gaming Machine Permits	7
Gambling Act 2005 Occasional Use Notices	25
Gambling Act 2005 Premises Licences	18
Gambling Act 2005 Prize Gaming Permits	0
Gambling Act 2005 Society Lotteries	218
Gambling Act 2005 Temporary Use Notices	0
Gambling Act 2005 Unlicensed Family Entertainment Centres	4
Gambling Act 2005 Notification of 2 or less Gaming Machines	60
Hackney Carriages	167
Private Hire Vehicles	36
Hackney Carriage & Private Hire Drivers	244
Private Hire Operators	31
Street Trading Consents	57
Section 115E (Pavement Café) Permits	17
Zoo Licences	0
Pet Shop Licences	13
Dog Breeding Licence	3
Animal Boarding Licence	13
Riding Establishment Licences	11
Dangerous Wild Animal Licences	1
Caravan Site Licences	42
Motor Salvage Operator	7
Scrap Metal Dealer Registration	32
Sex Shop Licences	2
Skin Piercing Registrations	209
Street Collection Permits	267
House to House Collection Permit	103

Licensing Act 2003
Schedule 1 – Provision of Regulated Entertainment
As amended by Live Music Act 2012 &
The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013

Regulated Entertainment Qualifying Conditions

In order to be regulated entertainment under the control of the Act it must include the provision of any of a) – h) below and be provided:

- To any extent for members of the public or a section of the public
 - Exclusively for members of a club (a qualifying club under the act) or for members of such a club and their guests
 - In any other case, for consideration and with a view to a profit; and
 - The premises are made available for the purpose or for purposes which include the purpose of enabling the entertainment concerned to take place; and
 - The entertainment takes place in the presence of an audience and is provided for the purpose or for purposes which include the purpose of entertaining that audience
- *Note(The audience do not have to be or want to be entertained)

Types of Entertainment & Their Licensing Requirements

a) Performance of a play

No licence required if:

- Takes place between 08:00 – 23:00; and
- Audience of no more than 500 people

b) Exhibition of a film

No licence required if:

- The sole or main purpose of the film is to
 - demonstrate any product
 - advertise any goods or services
 - provide information, education or instruction; or
- The film consists of or forms part of an exhibit put on show for any purposes of a museum or art gallery.

c) Indoor Sporting Event

No licence required if:

- Takes place between 08:00 – 23:00; and
- Audience of no more than 1000 people

d) Boxing or Wrestling Entertainment

Licence required except under general exemptions below

e) Performance of live music

Unamplified) - No licence required if:

- Takes place between 08:00 – 23:00; and
- Audience of no more than 200 people; and
- In the case of licensed premises no specific condition related to live music that was imposed following a review exists; or
- It is incidental to some other activity which is not itself entertainment falling within (a) – (h)

Amplified - No licence required if:

- Takes place between 08:00 – 23:00; and
- Takes place on licensed premises that are open for the sale of alcohol for consumption on the premises; or
- Takes place at a workplace (as defined in regulation 2(1) of the Workplace (Health, Safety and Welfare) Regulations 1992) which is not licensed under the 2003 Act for anything other than Late Night refreshment; and
- Audience of no more than 200 people; and
- No specific condition related to live music that was imposed following a review exists; or
- It is incidental to some other activity which is not itself entertainment falling within (a) – (h)

f) Playing of recorded music

No licence required if:

- It is incidental to some other activity which is not itself entertainment falling within (a) – (h)

g) Performance of dance

No licence required if:

- Takes place between 08:00 – 23:00; and
- Audience of no more than 500 people; and
- The performance does not fall within the meaning of paragraph 2A of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (meaning of “sexual entertainment venue”).

h) Entertainment of a similar description to (e), (f) or (g)

Licence required except under general exemptions below

General Exemptions

1) Television & Radio

No licence required if the entertainment:

- consists of the simultaneous reception and playing of a programme included in a programme service within the meaning of the Broadcasting Act 1990 (c. 42).

2) Religious services, places of worship etc.

No licence required if the entertainment is:

- For the purposes of, or for purposes incidental to, a religious meeting or service; or
- Takes place at a place of public religious service

3) Garden fêtes etc.

No licence required if the entertainment:

- Takes place at a garden fête, or at a function or event of a similar character; and
- The fête, function or event is not promoted with a view to applying the whole or part of its proceeds for purposes of private gain.

4) Morris dancing etc.

No licence required if the entertainment:

- Consists of the a performance of Morris dancing or any dancing of a similar nature or the playing of live or recorded music that forms an integral part of such a performance.

5) Sexual Entertainment Venues etc.

No licence required if the entertainment:

- Takes place at premises for which a licence for a sexual entertainment venue is required (or the requirement has been waived).

6) Vehicles in motion

No licence required if the entertainment:

- Takes place at premises consisting of or forming part of a vehicle which is not permanently or temporarily parked.

Definitions

(a) Performance of a play

- A performance (including a rehearsal) of any dramatic piece whether involving improvisation or not
 - which is given wholly or in part by one or more persons actually present and performing
 - in which the whole or a major proportion of what is done by the person or persons performing, whether by way of speech, singing or action, involves the playing of a role

(b) Exhibition of a film

- any exhibition of moving pictures

(c) Indoor Sporting Event

- Any contest, exhibition or display of any game in which physical skill is the predominant factor or any form of physical recreation which is also engaged in for purposes of competition or display which takes place wholly inside a building (any roofed structure (other than a structure with a roof which may be opened or closed) and includes a vehicle, vessel or moveable structure) at which the spectators present at the event are accommodated wholly inside that building.
- Does not include boxing or wrestling entertainment

(d) Boxing or Wrestling Entertainment

- any contest, exhibition or display of boxing or wrestling or which combines boxing or wrestling with one or more martial arts

(e) & (f) Music

- includes vocal or instrumental music or any combination of the two

QUESTION	YOUR VIEWS				
<p>1. Do you support the ‘do nothing’ proposal (Option 1, as set out in paragraphs 28-30) or the Government’s proposal (Option 2, ‘deregulate not-for-profit film exhibition in ‘community premises’ as set out as paragraphs 31-35). If not, please explain why.</p>	<table border="1" data-bbox="810 293 1394 371"> <tr> <td data-bbox="810 293 1107 327">Option 1</td> <td data-bbox="1114 293 1394 327"></td> </tr> <tr> <td data-bbox="810 329 1107 362">Option 2</td> <td data-bbox="1114 329 1394 362">✓</td> </tr> </table> <p data-bbox="810 374 1394 407">If not please explain why?</p>	Option 1		Option 2	✓
Option 1					
Option 2	✓				
<p>2. If you generally support Option 2, do you agree with the Government’s suggested definition of community premises? If not, please explain why?</p>	<p data-bbox="810 557 1394 663">Yes, we agree with the Government’s suggested definition of Community Premises.</p>				
<p>3. If you support Option 2, do you agree with the Government’s proposals that the exemption should only extend to ‘not for profit’ activities? If not, please explain why?</p>	<p data-bbox="810 710 1394 775">Yes, we agree that the exemption should only extend to ‘not for profit activities’.</p>				
<p>4. Do you agree that exhibition of film that is incidental to other entertainment activities that are not regulated under the 2003 Act should be exempt?</p>	<p data-bbox="810 891 1394 1032">Yes, we agree that exhibition of film that is incidental to other entertainment activities that are not regulated under the 2003 Act should be exempt</p>				
<p>5. Do you agree that the Government’s draft clause at Annex C will achieve the deregulation outlined in Option 2?</p>	<p data-bbox="810 1077 1394 1142">Yes we believe that Annex C will achieve the deregulation outlined.</p>				
<p>6. Do you agree that films that do not have an age classification rating should not be exhibited in community venues without a licence? If you do not agree, please explain why?</p>	<p data-bbox="810 1229 1394 1361">Yes we agree that films that do not have an age classification rating should not be exhibited in a community venue without a licence.</p>				

Taunton Deane Borough Council

Licensing Committee – 28 August 2013

Part I - Testing Regime for Hackney Carriages and Private Hire Vehicles

Report of the Licensing Manager

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

Members are asked to consider the Hackney Carriage and Private Hire Vehicle Testing Regime within Taunton Deane and the recommendations set out at section 11 of the report with regard to the requirement for an MOT certificate to be obtained from a Council Nominated Testing Station.
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2. Background

- 2.1 This matter was last considered by Members at the meeting of the Licensing Committee in March 2012. Members at that time recommended that the testing regime for vehicles applying to be licensed by the Council should be amended to require that both an MOT and Part II test pass be obtained from a Council Nominated Testing Station.
- 2.2 The guidance from government, legislative framework and rationale behind the Council's Taxi Regime were all set out within that report to committee and remain unaltered. The report is attached at **Appendix 1**
- 2.3 Since the recommendation of the Committee, the Licensing Team have continued to review the Council's testing regime and representations are still being made from within the trade with regard to the legality of the Council's requirements and the need for such a restrictive practice.
- 2.4 Recent experience of assisting the Licensing Service within West Somerset Council has provided additional insight into how the taxi testing regime is implemented in another authority. They, as do all other Local Authorities within Somerset, allow an MOT from any VOSA approved testing station to be submitted.

3. Report

- 3.1 From within the Taxi Trade opinions are still being expressed that the requirement to obtain an MOT from a Nominated Testing Station only is overly burdensome and financially detrimental to their business. They feel that the freedom to obtain an

MOT from any VOSA approved testing station should be permitted as it would offer financial savings whilst the compliance regime operated by VOSA, being more efficient with greater penalties and sanctions than any control that could be implemented by the Council, is more than adequate to remove any doubt as to the legitimacy of the documents submitted.

- 3.2** Having gained wider experience of the operation of the taxi licensing regime in other Authorities, officers are inclined to agree with the trade on this matter. Doubts do remain though over the financial viability of obtaining an MOT from elsewhere and then a Part II test from a nominated testing station. This is however considered by Officers to be a business decision for the trade and not a matter that the Council should seek to regulate.
- 3.3** The main area of concern expressed by the Committee when it last considered this issue was the potential conflict of interest should a vehicle proprietor obtain an MOT from an approved VOSA testing station that had an identifiable business or personal relationship with them.
- 3.4** Although this risk does still exist officers agree with the trade that it can be reasonably mitigated through the following matters:
- The business plan of the vehicle proprietor recognising the reputational and business risk of using a non-roadworthy vehicle.
 - The business plan of the VOSA nominated testing station recognising the legal and reputational risks of non-compliance with VOSA's testing criteria.
 - The Nominated Testing Station undertaking the part II test being able to notify the Council and through them VOSA of any suspected or identified non-compliance with MOT requirements.
- 3.5** In order to ensure that there is no financial detriment to the nominated testing stations in undertaking a part II test only, rather than an MOT and part II test, the pricing structure for the conducting of a part II test and the ability to offer a discounted price if both the MOT and part II test are to be undertaken, will be a matter for the Nominated Testing Stations to determine. The Council will however require, through the Service Level Agreements with the Nominated Testing Stations, a full justification of the cost to be submitted to and approved by the Licensing Manager and Chair of the Licensing Committee.
- 3.6** To allow for the amendment of the Service Level Agreement and the submission and approval of costs for the part II test Officers suggest delaying the implementation of the changes outlined in this report until the 1st November 2013.
- 3.6** Should members resolve to approve the removal of the requirement to obtain an MOT from a Council Nominated Testing Station for any vehicle that is to apply to be licenced as a Hackney Carriage or Private Hire Vehicle, officers feel it would be appropriate and aid clarification to rename the part II test as a Plate Test.

4. Finance Comments

By having both the MOT and part II test undertaken at the same time by a single testing station the testing station may be able to offer a cost saving to vehicle proprietors. If the part II test were to be conducted separately there will no longer be the opportunity for low costing through duality of staffing and resources at the testing station and on costs to the trade could be increased.

5. Legal Comments

Under the Local Government (Miscellaneous Provisions) Act 1976 Section 48, the Council is required to satisfy itself that any private hire vehicle is (a) in a suitable mechanical condition and (b) safe. Section 48 effectively prohibits the Council from granting a private hire vehicle licence unless it is so satisfied. The legal position in relation to hackney carriages is slightly different, although under Section 47 a licensing authority may impose such licence conditions as it considers reasonably necessary.

In discharging its responsibilities under the 1976 Act, the Council as licensing authority is entitled to regard an MOT certificate – in conjunction with the Part 1 test - as evidence of mechanical condition (unless it has direct evidence to the contrary in relation to any individual vehicle).

While it is clearly desirable that the Part 1 test should only be undertaken by establishments approved by the Council, there appears to be no practical reason for a licensing authority to distinguish between MOT certificates issued by testing establishments which are included on a Council approved list and certificates issued by other establishments which have been formally approved by VOSA as MOT testing establishments.

Against this background, and taking into account the mitigatory measures set out elsewhere in this report, the proposed acceptance of MOT certificates from all VOSA-approved testing establishments would not appear to undermine the Council's ability to meet its legal responsibilities under the 1976 Act.

6. Links to Corporate Aims

Although there are no direct links to the corporate aims the provision of an effective licensing regime benefits local businesses and the public alike in full accordance with the Council's Corporate Strategy. Reviewing the service allows the Council to continue to demonstrate good governance.

7. Environmental and Community Safety Implications

None

8. Equalities Impact

No adverse equality impact identified.

9. Risk Management

Some risk identified through vehicle proprietors undertaking their own MOTs but this is mitigated through the measures detailed at 3.4 above.

10. Partnership Implications (if any)

Existing partnerships with Nominated Testing Stations will be affected as Service Level Agreements/partnership activities will need to be amended.

11. Recommendations

- 11.1** That Members approve from the 1st November 2013 the removal of the requirement for an MOT to be obtained from a Nominated Testing Station for any vehicle that applies to be licensed as a Hackney Carriage or Private Hire Vehicle.
- 11.2** That Members approve an amendment to the current taxi testing regime to require that before a part II test is undertaken by Council Nominated Testing Station evidence must be produced to the Nominated Testing Station of a valid MOT for the vehicle to be tested.
- 11.3** That Members delegate authority to approve a pricing structure by the Nominated Testing Stations for the undertaking of the part II test to the Licensing Manager and Licensing Committee Chairman.
- 11.4** That Members approve the re-naming of the part II test as the Plate Test.

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Taunton Deane Borough Council

Licensing Committee – 7 March 2012

Testing Regime for Hackney Carriages and Private Hire Vehicles

Report of the Licensing Manager

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

Members are asked to consider the Hackney Carriage and Private Hire Vehicle Testing Regime within Taunton Deane and the recommendations set out at section 11 of the report with regard to the Part 1 Test and MOT, the undertaking of the Part II test and the nomination of approved testing stations.

2. Background

- 2.1** The Department of Transport states within its Best Practice Guidance that the aim of local authority licensing of the taxi and private hire vehicle trades is to protect the public.
- 2.2** Taunton Deane Borough Council needs to be satisfied that the vehicles operating within its area are fit to do so (i.e. safe, in a suitable mechanical condition and comfortable). To enable this the Council uses the provisions of the Local Government (Miscellaneous Provisions) Act 1976 which gives the Council powers to require proprietors to present their vehicle for annual and occasional inspection and testing by or on behalf of the Council at such place within the area of the Council as they may reasonably require.
- 2.3** In order to make certain all vehicles meet the high standards the Council consider necessary to ensure licensed vehicles are safe, before a licence can be granted a vehicle is required, in addition to meeting the legal requirements for a domestic vehicle, to pass the following tests;
- Part I – this is a test which uses the same criteria as an MOT test and is undertaken by the Council's nominated testing station,
- Part II - this is a test currently undertaken by the Council's nominated testing station that covers all the additional items that the Council has determined are required for licensing purposes, such as physical condition of the vehicle, safety of wheelchair restraints, comfort and physical appearance of the vehicle.
- Meter test – this test assesses the legality and accuracy of taximeters fitted to vehicles and is currently undertaken by Licensing Officers.

- 2.4 As permitted under the Local Government (Miscellaneous Provisions) Act 1976 the Council has a nominated testing station which undertakes all Part I and Part II tests on behalf of the Licensing Service under the control of a Service Level Agreement. The nominated testing station is currently the Service and MOT Centre (formerly MJ Autos) who were appointed in 2007 following the cancellation of the service level agreement previously held with VOSA.
- 2.5 The Service Level Agreement covers not only the test criteria but also standards of customer service. It is monitored through a formal annual review and ad hoc meetings.
- 2.6 Research of other Somerset Authorities has shown that they do not have a separate Part I test equivalent and that an MOT test from any approved VOSA testing station is accepted. They do however all have nominated testing stations for the undertaking of the equivalent Part II testing of vehicles.
- 2.7 The Conditions for vehicle testing and Hackney Carriage and Private Hire Vehicle Test Criteria were last considered by this Committee when the Taxi Handbook was adopted in April 2009.
- 2.8 Following the receipt of a 39 signature petition a review of and consultation on the vehicle testing regime has been undertaken.
- 2.9 There was a response rate of 18% to the consultation and these have been broken down between Operators/Proprietors and Drivers to show how both elements of the trade considered the proposals. Overall there is support for the replacement of the Part I test with an MOT issued by any VOSA approved testing station and to increase the number of Council Nominated testing Stations. The responses to the consultation are set out at Appendix B.

3. Report

Part I test and MOT

- 3.1 One of the Council's current requirements for any vehicle to be licensed as a Hackney Carriage or Private Hire Vehicle is that it should hold a valid MOT (if the vehicle is over one year old) and pass the Council's Part I test undertaken by the Council's nominated testing station.
- 3.2 The Part I test is in practice carried out at the same time as the MOT inspection and the MOT Certificate from the nominated testing station takes the place of the part I compliance certificate. Vehicle proprietors could obtain an MOT certificate from elsewhere and then a Part I compliance certificate from the nominated testing station but in reality this would not make financial sense.
- 3.3 Members are asked to consider the following options with regard to the Part I test and the MOT. The question of suitability of having only one nominated testing station is presented for consideration later in this report.

- 3.4 Option 1.** The current position remains unchanged – proprietors will be able to obtain an MOT from a testing station of their choice but will still have to attend the nominated testing station to obtain compliance with the Council's Part I test, which will continue to be the equivalent of an MOT.
- 3.5** This option has the benefit of keeping down costs to the trade through the part I and part II tests being conducted on the same premises at the same time by the same member of staff. This option also brings advantages to vehicle proprietors in that they can receive an MOT certificate at no additional cost when securing compliance with the Part I test and through the Service Level Agreement the Council is able to offer them support in customer service issues and any disagreement that may arise with the nominated testing station.
- 3.6** However the retention of the part I test could be seen to be unnecessarily duplicating the MOT test and it could be suggested that the Council are not allowing proprietors choice in where an MOT is undertaken.
- 3.7 Option 2.** The Part I test is replaced by an MOT issued by any VOSA approved testing station, this could include the nominated testing station who would then be able to offer to undertake the MOT and Part II test as package deal .
- 3.8** This option would allow vehicle proprietors the freedom to choose where an MOT is undertaken and would remove the duplication of testing criteria that exists at present with the Part I test.
- 3.9** Although we have not undertaken market analysis for carrying out the part II test only, this option may however increase the costs to the trade as a testing station which is required to only undertake a part II test cannot benefit from any of the savings made through conducting both tests at the same time. Prices will need to be increased and consideration must be given as to the level of interest a garage may have in becoming a nominated testing station and conducting part II tests only.
- 3.10** An additional matter that will need to be considered is the question of acceptability of MOT certificates from testing stations that have an identifiable relationship with the vehicle proprietor. If public scrutiny of a relationship between a vehicle proprietor and the operator/owner of a testing station through personal or commercial links would raise reasonable doubt as to a conflict of interests then it is proposed that Licensing refuse to accept the certificate.
- 3.11 Option 3.** The Part I test is replaced by an MOT issued by a Council nominated testing station.
- 3.12** This option removes the duplication of the MOT and Part 1 tests that currently exists and may offer an opportunity for savings to proprietors through the nominated testing stations undertaking both MOT & Part II tests.

- 3.13** Under all three options vehicles will still require to achieve compliance with the Council's Part II test which will be undertaken at the nominated testing station.

Part II test

- 3.14** In addition to the Part I test the Council requires a further set of test criteria, the Part II test, be applied to Vehicles before a Hackney Carriage or Private Hire Vehicle Licence can be issued. A copy of the inspection sheet showing the areas that are examined is attached at Appendix A.
- 3.15** The matters to be examined require a judgement which includes safety and suitable mechanical condition and the Council therefore require the test to be undertaken by a suitably qualified vehicle mechanic. For reasons of consistency and customer service the Council further require that the test is undertaken by the nominated testing station.
- 3.16** Through the petition a request has been received that the Council's Licensing Officers undertake the Part II vehicle tests.
- 3.17** Because of the nature of the matters to be inspected it is not considered appropriate for the test to be undertaken by Licensing Officers who do not have the necessary knowledge or skills base and Members are asked to retain the requirement for the Part II test to be undertaken by a suitably qualified vehicle mechanic at a nominated testing station.

Nomination of Testing Station(s)

- 3.18** As set out earlier in the report the Council, as allowed through legislation, maintains a nominated testing station for reasons of control and customer support. The legislation further requires that the testing station is located within the administrative area of the Council
- 3.19** In addition to those reasons, the Council must also consider the suitability of a business's premises to inspect the range of vehicles that could be presented for licensing, as the legislation would permit the licensing of vehicles larger than domestic vehicles. The Council must also consider the ability of the business to meet the Council's required customer service standards (i.e. ensuring that an inspection can be carried out within five working days) and to produce data to assist in the monitoring and review of the Council's vehicle licensing regime.
- 3.20** The Council's current nominated testing station has to their credit provided an exemplary level of service since first entering the Agreement in 2007 and through that time expressions of support and very few formal complaints have been received by the Licensing Team regarding the service they have provided to the trade.
- 3.21** Members are asked to consider the following options that have been identified through the review process.
- 3.22** **Option 1.** Retain the current position – the Service and MOT Centre Taunton would remain as the Council's sole nominated testing station.

- 3.21** This option has advantages to the Council in that the quality of testing can be maintained. If a greater number of testing stations were introduced then there is the potential for discrepancies between testing standards to be introduced
- 3.23 Option 2.** Increase the number of nominated testing stations
- 3.24** Increasing of the number of testing stations particularly if spread across the district may offer advantages to those vehicle proprietors who do not live within Taunton. It may also offer savings to the trade through the pricing structures of individual testing stations. From the Council's perspective the appointment of at least one additional testing station provides for continuity of service if one testing station is unable to operate for a period of time.
- 3.25** Before any further testing stations can be appointed the Licensing Team will need to seek expressions of interest and produce a list of suitable testing stations for consideration with the Licensing Committee Chairman.
- 3.26** As discussed at 3.10 above if this option is approved the Council will need to have regard to excluding any testing station that has an identifiable personal or business relationship with the vehicle proprietor that could give the impression of a conflict of interest.

4. Finance Comments

By having both the part I & II tests undertaken at the same time by a single testing station the testing station may be able to offer a cost saving to vehicle proprietors. If the part II test were be conducted separately there will no longer be the opportunity for low costing through duality of staffing and resources at the testing station and on costs to the trade could be increased.

5. Legal Comments

All the options set out in this report would meet the requirements of the Local Government (Miscellaneous Provisions) Act1972.

6. Links to Corporate Aims

Although there are no direct links to the corporate aims the provision of an effective licensing regime benefits local businesses and the public alike in full accordance with the Council's Corporate Strategy.

7. Environmental and Community Safety Implications

None

8. Equalities Impact

No adverse equality impact identified.

9. Risk Management

No risk identified.

10. Partnership Implications (if any)

None

11. Recommendations

Part I test and MOT

11.1 That Members approve one of the three options set out within the report having considered the impact upon the trade and the obligations on the Council to protect the safety of the public using licensed Hackney Carriages or Private Hire Vehicles.

11.2 That Members delegate authority to exclude certificates from testing stations for the reasons set out in 11.1 above to the Licensing Manager and Licensing Committee Chairman.

Part II test

11.3 That members resolve to retain the requirement for the Part II test to be undertaken by a suitably qualified vehicle mechanic at a nominated testing station.

Nomination of Testing Station(s)

11.3 That members approve option 2 and delegate authority to the Licensing Manager and the Licensing Committee Chairman to ascertain suitability of interested businesses and appoint at least one additional nominated testing station.

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Part Two Test Inspection Form

Hackney Carriage & Private Hire Vehicles

Registration Mark:		Part Two Serial No.:		No. of Passenger Seats:			
Plate Number: HC/PH		Make & Model:		Date of Manufacture:			
VIN Number:		Mileage:		Colour:			
A. Item Tested	Ref.	Pass	Fail	Reasons for failure			
Exterior	Exterior	Exterior	Exterior	Exterior	Exterior	Exterior	Exterior
External plate	3.5						
Dents	9.1						
Scratches	10.1						
Colour consistency	11.1						
Door signs fitted	3.2						
Top hat fitted (* PH only)	3.4						
Interior	Interior	Interior	Interior	Interior	Interior	Interior	Interior
Internal plate	3.3						
Seats	7.1						
Head lining	7.1						
Carpet condition *	7.1						
Interior damp or dirty	7.1						
Exterior clean	7.1						
Engine bay condition	7.1						
Interior lights working *	7.1						
Ashtrays fitted or covered	7.2						
Demisters working	7.1						
Windows working	7.1						
Means of exit *	7.1						
Seat width and leg room	7.1						
First aid kit suitability	6.3						
Meter	1.2						
Wheelchair straps and	12.1						
Strap stowing and release	12.1						
Trip hazards & rough	12.1						
Smoke free signage	7.1						
Fire Extinguishers	Fire Extinguishers	Fire Extinguishers	Fire Extinguishers	Fire Extinguishers	Fire Extinguishers	Fire Extinguishers	Fire Extinguishers
Type and capacity *	5.1						
Labeled	5.2						
Fixed *	5.4						
Ramps	Ramps	Ramps	Ramps	Ramps	Ramps	Ramps	Ramps
Stowed in transit *	13.1						
In-use fixing method *	13.1						
Incline <12:1	13.1						
Permanently marked	13.1						
Rough edges/safety *	13.1						
Non-slip/raised edges *	13.1						
B. I certify that for the reasons shown above the vehicle has failed to comply with the statutory requirements.						Authentication Stamp:	
Signed:		Name (BLOCK CAPS):					
(Tester/Inspector)		Date:					
C. WARNING. In my opinion the vehicle is dangerous to drive because of the following defects:							
D. Comments:							

Responses to the Consultation

A total of 254 consultations were sent out to all licensed drivers, operators and vehicle proprietors. The consultation consisted of an explanatory document (attached at Appendix C) and a response sheet with the options as set out in the table below. The consultation period ran from 27th January to 14th February 2012

The Responses were as set out below.

Options	Responses		
	Overall	Operators/ Proprietors	Drivers
Total Responses Received	(45)	(28)	(17)
Part I test and MOT			
Current position remains unchanged – Vehicles are required to pass the Part I test at the Council’s nominated testing station	16	12	4
Part I test is replaced by an MOT issued by any VOSA approved testing station	29	16	13
Nomination of Testing Station(s)			
The Service and MOT Centre Taunton remain as the Council’s nominated testing station	11	10	2
The number of nominated testing stations is increased	31	17	14
No preferred option expressed regarding Nominated Testing Stations	2	1	1

Taunton Deane Borough Council Licensing Service

Testing Regime for Hackney Carriages and Private Hire Vehicles – Consultation Document January 2012

- 1.0 The Department of Transport states within its Best Practice Guidance that the aim of local authority licensing of the taxi and private hire vehicle trades is to protect the public.
- 1.1 Taunton Deane Borough Council needs to be satisfied that the vehicles operating within its area are fit to do so (i.e. safe, in a suitable mechanical condition and comfortable).
- 1.2 In order to make certain all vehicles meet the high standards the Council consider necessary to ensure licensed vehicles are safe, before a licence can be granted a vehicle is required, in addition to meeting the legal requirements for a domestic vehicle, to pass the following tests;
Part I – this is a test which uses the same criteria as an MOT test and is undertaken by the Council's nominated testing station,
Part II - this is a test currently undertaken by the Council's nominated testing station that covers all the additional items that the Council has determined are required for licensing purposes, such as physical condition of the vehicle, safety of wheelchair restraints, comfort and physical appearance of the vehicle.
Meter test – this test assesses the legality and accuracy of taximeters fitted to vehicles and is currently undertaken by Licensing Officers.
- 1.3 The Council has a nominated testing station which undertakes all Part I and Part II tests on behalf of the Licensing Service under the control of a Service Level Agreement. The nominated testing station is currently the 'Service and MOT Centre'.
- 1.4 The Service Level Agreement covers not only the test criteria but also standards of customer service.
- 1.5 Following the receipt of a 39 signature petition a review of the vehicle testing regime is being undertaken and this consultation forms part of that review. A report will be made to the Licensing Committee at its meeting on 7 March 2012 where Members will be informed of responses to this consultation.
- 2.0 **Part I test and MOT**
- 2.1 One of the Council's current requirements for any vehicle to be licensed as a Hackney Carriage or Private Hire Vehicle is that it should hold a valid MOT (if the vehicle is over one year old) and pass the Council's Part I test undertaken by the Council's nominated testing station.

- 2.2 The Part I test is in practice carried out at the same time as the MOT inspection and the MOT Certificate from the nominated testing station takes the place of the Part I compliance certificate. Vehicle proprietors could obtain an MOT certificate from elsewhere and then a Part I compliance certificate from the nominated testing station but in reality this would not make financial sense.
- 2.3 The Licensing Committee will be asked to consider the following options with regard to the Part I test and the MOT.
- 2.4 **Option 1.** The current position remains unchanged – proprietors will be able to obtain an MOT from a testing station of their choice but will still have to attend the nominated testing station to obtain compliance with the Council's Part I test.
- 2.5 This option has the benefit of keeping down costs to the trade through the part I and part II tests being conducted on the same premises at the same time by the same member of staff. This option also brings advantages to vehicle proprietors in that they can receive an MOT certificate at no additional cost when securing compliance with the part I test and through the Service Level Agreement the Council is able to offer them support in customer service issues.
- 2.6 However the retention of the part I test could be seen to be unnecessarily duplicating the MOT test and through the financial incentive of having tests done at the same time, the Council would not be offering any real choice in where an MOT is undertaken.
- 2.7 **Option 2.** The Part I test is replaced by an MOT issued by any VOSA approved testing station
- 2.8 This option would allow vehicle proprietors the freedom to choose where an MOT is undertaken and would remove the duplication of testing criteria that exists at present with the Part I. It would however undoubtedly increase the costs to the trade as a testing station which is required to only undertake a Part II test cannot benefit from any of the savings made through conducting both tests at the same time.
- 2.9 If the Committee resolve to approve option 2 an additional matter that members will be requested to consider is the exclusion of MOT certificates from testing stations where public scrutiny of the relationship between a vehicle proprietor and the operator/owner of a testing station through personal or commercial links would raise reasonable doubt as to a conflict of interests.
- 2.10 Under both options vehicles will still require to achieve compliance with the Council's Part II test which will be undertaken at the nominated testing station.
- 2.11 Your views are requested on whether option 1 or option 2 would be your preferred choice.
- 3.0 **Nomination of Testing Station(s)**

- 3.1 As set out earlier in the document the Council, as allowed through legislation, maintains a nominated testing station for reasons of control and customer support.
- 3.2 In addition to those reasons, the Council must also consider the suitability of a business's premises to inspect the range of vehicles that could be presented for licensing, as the legislation would permit the licensing of vehicles larger than domestic vehicles. The Council must also consider the ability of the business to meet the Council's required customer service standards (i.e. ensuring that an inspection can be carried out within five working days) and to produce data to assist in the monitoring and review of the Council's vehicle licensing regime.
- 3.3 The Council's nominated testing station has to their credit provided an exemplary level of service since first entering the Agreement in 2007 and through that time expressions of support and very few formal complaints have been received by the Licensing Team regarding the service they have provided to the trade.
- 3.4 The Licensing Committee will be asked to consider the following options that have been identified through the review process
- 3.5 **Option 1.** Retain the current position – the Service and MOT Centre Taunton would remain as the Council's sole nominated testing station.
- 3.6 This option has advantages to the Council in that quality of testing can be maintained. If a greater number of testing stations were introduced then there is the potential for discrepancies between testing standards to be introduced
- 3.7 **Option 2.** Increase the number of nominated testing stations
- 3.8 Increasing of the number of testing stations particularly if spread across the district may offer advantages to those vehicle proprietors who do not live within Taunton. It may also offer savings to the trade through the pricing structures of individual testing stations. From the Council's perspective the appointment of at least one additional testing station provides for continuity of service if one testing station is unable to operate for a period of time.
- 3.9 As discussed at 2.9 above if this option is approved the Council will need to have regard to excluding any testing station that has an identifiable personal or business relationship with the vehicle proprietor that could give the impression of a conflict of interest.
- 3.10 Your views are requested on whether option 1 or option 2 would be your preferred choice.
- 4.0 **For Information Only - Part II test**

- 4.1 In addition to the Part I test the Council requires a further set of test criteria, the Part II test, be applied to Vehicles before a Hackney Carriage or Private Hire Vehicle Licence can be issued.
- 4.2 Through the petition a request has been received that the Council's Licensing Officers undertake the Part II vehicle tests.
- 4.3 Because of the nature of the matters to be inspected it is not considered appropriate for the test to be undertaken by Licensing Officers who do not have the necessary knowledge or skills base and Members will be asked to retain the requirement for the Part II test to be undertaken by a suitably qualified vehicle mechanic at a nominated testing station.

- 5.0 Responding to the Consultation
- 5.1 The consultation is open to all licensed drivers and operators, vehicle proprietors and the Council's nominated testing station.
- 5.2 Please use the enclosed consultation response sheet and pre paid reply envelope to forward your responses to the consultation.
- 5.3 All responses should be received by the Council no later than **Tuesday 14 February 2012**.

Taunton Deane Borough Council

Licensing Committee – 28 August 2013

Part II - Testing Regime for Hackney Carriages and Private Hire Vehicles

Report of the Licensing Officer

(This matter is the responsibility of Executive Councillor Ken Hayward)

1. Executive Summary

Members are asked to consider the Hackney Carriage and Private Hire Vehicle Testing Regime within Taunton Deane and the recommendations set out at section 11 of the report with regard to replacing the current 'Part II test' with a new 'Plate test'.

2. Background

- 2.1 The part II test has remained unchanged since its introduction in 2007. Its purpose is to ensure that any vehicle licensed by the Council is safe, comfortable and visually acceptable. The part II test covers those areas not included within the MOT that all licensed vehicles are also required to obtain. It can only be undertaken by the Council's Nominated Testing Stations.
- 2.2 Information received from the Taxi Trade has shown the current part II test to be unfit for purpose. They have also expressed a will for the testing regime to be improved to ensure vehicles within the Borough meet a high standard. The Council's Nominated Testing Stations have also found the part II test wanting in areas such as vehicle modifications and the ability for vehicle testers to make recommendations.

3. Report

- 3.1 Taking into account advice from the Nominated Testing Stations, the Hackney Carriage and Private Hire National Inspection Standards, shown at **Appendix 1** and through research of vehicles tests used by other Local Authority's, a new set of vehicle testing criteria has been drafted to replace the current criteria as contained within the Council's taxi policy document, the Private Hire and Hackney Carriage Drivers, Vehicles and Operators Handbook.
- 3.2 A list of the current criteria used in conjunction with the part II test is shown at **Appendix 2**. A proposed insertion for the Handbook is shown at **Appendix 3**. The new set of criteria will form part of a rebranding of the part II test. The test will be

renamed the 'plate test' for clarity. The proposed inspection sheet to be used by the testing station inspectors is shown at **Appendix 4**.

- 3.3 One of the notable changes in plate test is the facility for the vehicle inspector to be able to recommend to the licensing authority that a licence should not be issued to the vehicle being tested, on matters other than those contained within the test criteria. This allows the licensing authority to benefit from the expertise of the inspector, who may have concerns over the safety of certain areas of the vehicle which would not be covered by the plate test criteria. We hope that this will ensure the closing of gaps in the current system.
- 3.4 The proposed Handbook insertion and inspection sheet are due to be introduced to the Taxi Trade on Friday 16 August and any feedback received will be considered before the final version is produced.

4. Finance Comments

- 4.1 With reference to the report by Ian Carter and the recommendations within it, there is a potential for costs to the trade increasing for those operators that wish to have MOTs carried out by testing stations other than those nominated by the Council to carry out the plate test.

5. Legal Comments

- 5.1 Under the Local Government (Miscellaneous Provisions) Act 1976 Section 48, the Council is required to satisfy itself that any private hire vehicle is (a) in a suitable mechanical condition and (b) safe. Section 48 effectively prohibits the Council from granting a private hire vehicle licence unless it is so satisfied. The legal position in relation to hackney carriages is slightly different, although under Section 47 a licensing authority may impose such licence conditions as it considers reasonably necessary.
- 5.2 In discharging its responsibilities under the 1976 Act, the Council as licensing authority is entitled to implement its own test of compliance in order to satisfy the criteria mentioned above in 5.1.

6. Links to Corporate Aims

Although there are no direct links to the corporate aims the provision of an effective licensing regime benefits local businesses and the public alike in full accordance with the Council's Corporate Strategy. Reviewing the service allows the Council to continue to demonstrate good governance.

7. Environmental and Community Safety Implications

- 7.1 None.

8. Equalities Impact

- 8.1 The implementation of the plate test will promote equality in the district of Taunton Deane, by ensuring that Hackney Carriages and Private Hire vehicles licensed by the Council are suitable so as to convey all classes of the public in both safety and comfort.

9. Risk Management

- 9.1 None.

10. Partnership Implications (if any)

- 10.1 Existing partnerships with Nominated Testing Stations will be affected as Service Level Agreements/partnership activities will need to be amended.
- 10.2 Should the Committee approve the plate test, officers will recommend that it be adopted by West Somerset Council licensing authority, in line with the current partnership and to improve standardisation across the two authorities.

11. Recommendations

- 11.1 That Members approve the replacing of the part II test with a new plate test from November 2013.
- 11.2 That Members approve that the approval of any further changes to the plate test be delegated to the Chair of the Licensing Committee and Licensing Manager.

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Hackney Carriage and Private Hire Vehicle

NATIONAL INSPECTION STANDARDS



A best practice guide produced by the Hackney Carriage and Private Hire Inspection Technical Officer Group

Foreword

There are numerous bodies inspecting hackney carriage and private hire vehicles, VOSA is supportive of the Public Authority Transport Network (PATN) initiative to develop and share best practice. A common standard applied consistently across the country will no doubt benefit all involved in the industry.

VOSA hopes that local authorities consider the guide when setting inspection standards and actively participate in its future development.

Philip Bailey

SVA and IVA Policy Engineer (Light Vehicles)
Vehicle & Operator Services Agency
Roadworthiness & Testing Policy Group



BEST PRACTICE GUIDE FOR THE INSPECTION OF HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES

PART 1

INTRODUCTION

This best practice guide sets out the procedures and standards for those who carry out inspections of hackney carriage & private hire vehicles. It is recommended that the guide is also made freely available to owners, proprietors, operators and drivers of hackney carriage & private hire vehicles, who may find it useful as it details the standards that vehicles are subjected to. The guide also explains the reasons why, a vehicle presented for inspection, has not been issued with a pass certificate.

INTRODUCTION

1.1 BEST PRACTICE GUIDE

This Best Practice Guide has been prepared by the Technical Officer Group (TOG) to assist Hackney Carriage (HC) and Private Hire Vehicle (PHV) operators, vehicle presenters, licensing authorities and vehicle inspectors

It is intended that this Best Practice Guide will endorse a *minimum* national vehicle inspection standard. It will be appreciated that it is for individual local licensing authorities to reach their own decisions, both on overall policies and on individual inspection standards, in the light of their own operational needs and geographical circumstances.

Various interested parties, including the Department for Transport (DfT), Vehicle & Operator Services Agency (VOSA), Disabled Persons Transport Advisory Committee (DPTAC) and the Institute of Licensing, have been consulted on this Best Practice Guide.

The Technical Officer Group commends the DfT for the production of the Taxi and Private Hire Vehicle Licensing: Best Practice Guidance. Vehicle operators, local licensing authorities and vehicle inspectors are strongly advised to refer to the DfT guide in conjunction with this Best Practice Guide. More information can be obtained on the DfT web site at:

www.dft.gov.uk

1.2 APPLICATION TO DEVOLVED ADMINISTRATIONS

The Department for Transport (DfT) has responsibility for HC and PHV legislation in England and Wales and, accordingly, the guidance that has been published will be directed at local authorities in England and Wales. Responsibility for HC and PHV licensing in Scotland and Northern Ireland is devolved, but the respective Administrations have been involved in the preparation of the Licensing Guidance and will decide for themselves the extent to which they wish to make use of or adapt to suit their own purposes.

1.3 TECHNICAL SAFETY ISSUES

The aim of a local licensing authority is to protect the public. Local licensing authorities will be aware that the public should have reasonable access to safe and well maintained HC and PHVs. For example, it is clearly important that somebody using a HC or PHV should be confident that the vehicle is safe.

To this end, this best practice guide will detail specific vehicle safety issues based on expert technical knowledge and experience of the Technical Officer Group (TOG). This guide will focus therefore on technical safety issues and make recommendations towards safe working practices.

Local licensing authorities will want to ensure that each of their various licensing requirements is properly justified by the risk it aims to address. This is not to propose that a detailed, over-zealous inspection regime creates difficulties for the HC and PHV trades but primarily to promote vehicle safety for the protection of passengers and not for the benefit of operators.

1.4 SCOPE OF THE GUIDANCE

This guidance deliberately seeks to embrace safety aspects of vehicle inspections using, as a basic inspection standard, those laid down in The MOT Inspection Manual for Car & Light Commercial Vehicle Testing issued by VOSA. This Best Practice Guide provides additional testing requirements to those in the MOT Inspection Manual. It is advised that local licensing authorities use the Best Practice Guide in conjunction with the VOSA MOT Inspection Manual as an advocate to public safety.

This Best Practice Guide has been developed to provide all local licensing authorities with a benchmark with regard to vehicle inspections and safety.

1.5 SPECIFICATION OF VEHICLE TYPES THAT MAY BE LICENSED

The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as HC or PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.

Normally, best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicles as possible. Indeed, local licensing authorities might usefully specify only general criteria, (such as vehicles with four doors as HC) leaving it open to the HC and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way, there can be flexibility for new vehicle types to be readily taken into account.

It is suggested that local licensing authorities should be particularly cautious about specifying only purpose-built HC, with the strict constraint on supply that this implies. (There are at present only two designs of purpose-built HC.) However, purpose-built vehicles are amongst those that a local licensing authority could be expected to license.

1.6 ACCESSIBILITY

In addition to their general conditions, local licensing authorities will want to consider the accessibility for disabled people (including - but not only - people who need to travel in a wheelchair) of the vehicles they license as Hackney Carriage. For more details, see Section 2 – Accessibility.

Licensing authorities will be aware that it remains the Department for Transport's intention to make accessibility regulations for Hackney Carriage vehicles under the Disability Discrimination Act 1995. In the meantime, licensing authorities are encouraged to introduce HC accessibility policies for their areas.

1.7 TYPE APPROVAL

It may be that from time to time a local licensing authority will be asked to license, as a HC or PHV, a vehicle that has been imported independently (that is, by somebody other than the manufacturer). Such a vehicle might meet the local licensing authority's criteria for licensing, but may nonetheless be uncertain about the wider rules for foreign vehicles being used in the UK. Such vehicles will be subject to the 'type approval' rules. For passenger cars up to 10 years old at the time of first GB registration, this means meeting the technical standards of either:

- European Whole Vehicle Type approval;
- British National Type approval; or
- British Single Vehicle Approval (before 29 April 2009) or:
- Individual Vehicle Approval (from 29 April 2009)

Most registration certificates issued since late 1998 should indicate the approval status of the vehicle. Further information about these requirements and the procedures for licensing and registering imported vehicles can be seen at:

www.dft.gov.uk

It is important for local licensing authorities to insist that at least one of the above 'type approvals' is produced prior to any imported vehicle being licensed as a Hackney Carriage or Private Hire Vehicle.

Voluntary Inspections

Vehicles that are already registered for use in the UK are not eligible for a Single Vehicle Approval, however, there are situations where evidence of compliance with the approval standard would be beneficial or be a requirement. An example would be a local licensing authority that may require evidence of compliance for a vehicle that has been modified since original registration, or where evidence of compliance is being used as part of a contractual agreement on a modified vehicle. To facilitate this requirement a non-statutory "Voluntary SVA" or "Voluntary IVA" test is available. The test criteria applied will be dependant on the vehicle category/class nominated on the application form VSVA 1. The fees are the same as those appropriate to the particular class of vehicle/test required other than VAT is payable. If the vehicle is found to meet the requirements a letter of compliance with the technical standards will be issued and not a Minister's Approval certificate. The letter of compliance is not acceptable for First Licensing/Registration purposes.

1.8 VEHICLE TESTING

There is considerable variation between local licensing authorities on vehicle testing. This best practice guide provides local licensing authorities with a *minimum* standard for vehicle inspections. All HC and PHV must be maintained to no less than the standards set out in the VOSA publication 'MOT Inspection Manual - Car and Light Commercial', ISBN 0-9549239-0-1.

As the term implies, hackney carriage and private hire vehicles are vehicles used for hire and reward purposes and as such are subject to much higher annual mileages and more arduous driving than normal private vehicles. Therefore, in the interests of passenger and other road user's safety, a more stringent maintenance and testing regime is required.

The purpose of the HC & PHV test is to confirm vehicles meet these more stringent standards. Vehicles must be submitted fully prepared for the test. It is not intended that the test be used in lieu of a regular preventative maintenance programme. If in the opinion of the vehicle examiner the vehicle has not been fully prepared, the test will be terminated and a further full test could be required.

It is an offence under the road traffic regulations to use an unroadworthy vehicle on the public highway.

HC & PHV operators failing to maintain their vehicles in a safe and roadworthy condition may have their licence suspended, curtailed or revoked by the Local Licensing Authority.

This Best Practice Guide should be read in conjunction with Vehicle & Operator Services Agency (VOSA) publication 'MOT Inspection Manual - Car and Light Commercial Vehicle Testing', ISBN 0-9549239-0-1 or as amended. This best practice guide provides a working document for those who inspect, maintain and prepare vehicles for inspection prior to being issued with a hackney carriage or private hire licence. Although detailed in its content the best practice guide is not exhaustive.

However, in assessing the mechanical condition of a vehicle, it is more likely an item which would ordinarily pass an MOT test with an advisory note, could fail the HC & PHV test.

2 NOVELTY VEHICLES (STRETCHED LIMOUSINES)

This section of the best practice guide offers advice to local licensing authorities on the requirements for licensing novelty vehicles. The standard of the test for novelty vehicles will be at the same standard as for other private hire vehicles. That is; as a basic inspection standard, those laid down in The MOT Inspection Manual for Car & Light Commercial Vehicle Testing issued by VOSA and this best practice guide. *(For the purpose of clarity, novelty vehicles in this guide will refer to stretch limousines only until such times as further guidance is obtained on any other such vehicle, i.e. fire tenders etc).*

A novelty vehicle shall only be registered as a private hire vehicle if it complies with the following conditions:

- Vehicles with no more than 8 passenger seats as indicated on the V5C. The V5C will state the number of seats and **must be produced to the local licensing authority prior to the vehicle being licenced or inspected**. If the number of seats differs to what is indicated on the V5C, then contact VOSA and your local area Traffic Commissioner immediately. Failure to produce a valid and current V5C for the vehicle to be tested could result in refusal to inspect the vehicle.
- Evidence of either European Community Whole Vehicle Type Approval (ECWVTA) or Single Vehicle Approval (SVA) or Individual Vehicle Approval (IVA) being presented for inspection.
- Local licensing authorities may consider, as novelty vehicles are not factory produced, that a recommended vehicle maintenance inspection be applied every 10 weeks. The frequency of maintenance inspections is recommended by Traffic Commissioners, VOSA and the National Limousine and Chauffeur Association (NLCA).
- The inspection standards to be applied to novelty vehicles are the same standards as those applied to other hackney carriage and private hire vehicles with the following additions:
 - Any additional item previously mentioned in this paragraph with regard to seating capacity, the production of the relevant documents and frequency of vehicle inspections.
 - See Section 4 – Tyres and roadwheels. Reference in this section is made to tyre rating to be applied to novelty vehicles.
 - See Section 12 - Vehicle Identification Number (VIN). VIN markings should be checked to ensure compliance, seating capacities and undue stresses.

Local licensing authorities are strongly advised to obtain a declaration, from the operator of a licensed novelty vehicle, that the vehicles with side facing seats will never be used to carry passengers under 16 years of age, **regardless of whether the vehicle is fitted with or without seatbelts**.

It is strongly advised that notices forbidding children to be carried in side facing seats are displayed in prominent positions, i.e. on entry to the passenger compartment and on either side of the passenger compartment. Local licensing authorities may also require additional outward facing signs adjacent to all entrance/exit doors to the passenger compartment.

3 GENERAL INFORMATION

Only vehicles complying with the following conditions will generally be considered for licensing as private hire vehicles: -

- Cars fitted with at least four doors and four wheels.
- Right-hand drive vehicles - with the exception of stretch limousines (where applicable).
- Vehicles with adequate space for luggage.
- Vehicles must be capable of carrying at least four and not more than eight passengers in addition to the driver.
- With the exception of stretch limousines, vehicles will not be accepted with blacked out windows. Passengers being carried in the vehicle must be visible from the outside. In *exceptional circumstances*, tinted windows may be acceptable.
- To allow a thorough examination of a vehicle or any part thereof, it must be presented for test in a clean condition. The vehicle presented, will fail the test if, in the opinion of the vehicle examiner, the vehicle is so dirty that it would be unreasonable for the test to be carried out.
- A test will not be carried out unless the License fee/Examination Fee has been paid in advance.

Statement of Undertakings and Declaration:

In the interests of road and passenger safety, the licenced operator undertakes to make proper arrangements so that vehicles are kept in a roadworthy condition at all times.

ACKNOWLEDGEMENTS

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Andy Mair	Freight Transport Association	Head of Engineering Policy
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Dave Moyle	Vale of Glamorgan	Workshops Supervisor
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Kevin Spiers	Oxford City Council	Transport Workshop Coordinator
Ken Stone	Liverpool City Council	Principal Licensing Officer
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BEST PRACTICE GUIDE FOR THE INSPECTION OF HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES

PART 2

PROCEDURES & STANDARDS OF INSPECTION

This best practice guide sets out the procedures and standards for those who carry out inspections of hackney carriage & private hire vehicles.

It is recommended that the guide is also made freely available to owners, proprietors, operators and drivers of hackney carriage & private hire vehicles, who may find it useful as it details the standards that vehicles are subjected to. The guide also explains the reasons why, a vehicle presented for inspection, has not been issued with a pass certificate.

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SECTION 1 - LIGHTING AND SIGNALLING EQUIPMENT

Section Contents:

Sub-section	Subject
1.3	Stop Lamps – High Level Stop Lamps
1.8	Electrical Wiring and Equipment
1.9	Additional Lamps <ul style="list-style-type: none">• Reversing Lamps• Front Fog/Driving Lamps• For Hire and Roof Signs

1.3. STOP LAMPS - HIGH LEVEL STOP LAMPS

Method of Inspection	Reason for Rejection
<p>Any additional stop lamps fitted and connected must be tested. Where high level stop lamps are fitted and there is doubt as to whether they are connected, the benefit of this doubt should be given to the presenter.</p> <p>Check the high level stop lamp where fitted:</p> <ul style="list-style-type: none">a. Is not obscured, and is not obviously incorrectly positioned.b. At least 50% of the lamp must be visible from the rear.	<p>High level stop lamp</p> <ul style="list-style-type: none">a. Obscured or obviously incorrectly positioned.b. Less than 50% of the lamp not working or obscured

1.8. ELECTRICAL WIRING AND EQUIPMENT

Method of Inspection	Reason for Rejection
<p>This examination is limited to that part of the electrical system that can be readily seen without dismantling any part of the vehicle.</p> <ul style="list-style-type: none">a. Check all electrical wiring for:<ul style="list-style-type: none">○ Condition○ Security○ Position ○ Signs of overheating○ Heavy oil contaminationb. Battery and carrier for:<ul style="list-style-type: none">○ Security○ Battery for leaksc. Check all switches controlling all obligatory lights	<ul style="list-style-type: none">a. Wiring<ul style="list-style-type: none">○ Not adequately insulated○ Not adequately secured○ Positioned so that it is chafing or clipped to a fuel line or likely to be damaged by heat so that insulation will become ineffective○ With clear evidence of overheating○ Heavily contaminated with oilb. Battery and carrier:<ul style="list-style-type: none">○ A battery and /or carrier not secure and likely to become displaced○ Battery leakingc. Insecurity or malfunction of a switch controlling an obligatory light

1.9. ADDITIONAL LAMPS

Method of Inspection	Reason for Rejection
<p>With the ignition switched on check:</p> <p>Reversing lamps</p> <ul style="list-style-type: none"> a. The reversing lamps emit a diffused white light when reverse gear is selected. b. The lamps extinguish when neutral gear is selected c. The lamps are in good working order and are secure. d. The lamps do not flicker when lightly tapped by hand. <p>Front Fog/Driving Lamps Check that:</p> <ul style="list-style-type: none"> e. A single front fog lamp emitting a white or yellow diffused light illuminates only when dipped beam is selected f. A pair of matched fog lamps both emitting a white or yellow diffused light should illuminate together g. A pair of matched, long-range driving lamps, both emitting a white diffused light should illuminate together. 	<p>A reversing lamp:</p> <ul style="list-style-type: none"> a. That fails to operate or does not emit a white diffused light b. Fails to extinguish when neutral or forward gear is selected c. Are not in good working order or insecure. d. Lamps flicker when tapped lightly by hand. <p>Front Fog/Driving Lamps</p> <ul style="list-style-type: none"> e. Lamp inoperative or operates other than in dipped beam mode f. Lamps operate incorrectly g. Lamps operate incorrectly

Additional Lamps (continued)	Reason for Rejection
<p data-bbox="191 305 499 342">Method of Inspection</p> <p data-bbox="191 375 533 412">'For Hire' and Roof Signs</p> <p data-bbox="191 444 352 482">Check that:</p> <ul style="list-style-type: none"> <li data-bbox="191 514 722 552">a. Correct style and type of sign fitted. <li data-bbox="191 576 915 613">b. Ensure the sign is securely fastened to the vehicle <li data-bbox="191 617 758 654">c. Check condition and security of wiring <li data-bbox="191 657 762 695">d. Functional test of signs for illumination 	<p data-bbox="1115 305 1423 342">Reason for Rejection</p> <p data-bbox="1115 375 1457 412">'For Hire' and Roof Signs</p> <ul style="list-style-type: none"> <li data-bbox="1115 544 2030 613">a. Incorrect colour or details shown on sign, i.e. registration number, vehicle number etc. <li data-bbox="1115 617 1346 654">b. Insecure sign <li data-bbox="1115 657 1864 695">c. Wiring is not in good condition and is loose or chaffed <li data-bbox="1115 698 2030 768">d. Illumination not consistent across the sign, i.e. all light bulb(s) LED(s) illuminated when switched on.

SECTION 2 - STEERING

Section Contents:

Sub-section	Subject
2.1	Steering Control – Steering Wheel
2.1	Steering Control – Steering Column
2.4	Suspension Spring Units and Linkages

2.1 STEERING CONTROL - STEERING WHEEL

Method of Inspection	Reason for Rejection
<p>With both hands rock the steering wheel from side to side at right angles to steering column and apply slight downward and upward pressure to the steering wheel rim (in line with column). Note:</p> <ul style="list-style-type: none">a. Fractures in steering wheel hub.b. Fractures in steering wheel rim.c. Steering wheel spokes loose or fractured.d. Jagged edges on steering wheel rim.e. If possible, check the retaining device on steering wheel is fitted.	<ul style="list-style-type: none">a. Steering wheel hub fractured.b. Steering wheel rim fractured.c. A steering wheel spoke loose or fractured.d. Jagged edges on steering wheel rim likely to injure the driver.e. A steering wheel hub-retaining device not fitted.

2.1 STEERING CONTROL - STEERING COLUMN

Method of Inspection	Reason for Rejection
<p>a. Try to lift the steering in line with the steering column and note the movement at centre of steering wheel.</p> <p>b. Push steering wheel away and then pull it towards you. Note any side play.</p> <p>c. While steering wheel is rotated, check for deterioration in any flexible coupling or universal joint of steering column.</p> <p>d. Where practical, check any clamp bolts for presence and security of locking devices. (These may be located in the engine compartment or under chassis).</p>	<p>a. Excessive movement of centre of steering wheel in line with steering column (end float).</p> <p>Note: Certain types of steering column might show some movement not due to excessive wear, e.g. those fitted with universal joints or flexible couplings</p> <p>b. Excessive side play indicating worn top bearings or insecure top mounting bracket.</p> <p>c. A flexible coupling or universal joint deteriorated, worn or insecure.</p> <p>d. A coupling clamp bolt or locking device loose or missing.</p>

2.4 SUSPENSION SPRING UNITS AND LINKAGES

Method of Inspection	Reason for Rejection
Coil Springs a. Welding repairs	a. Repaired by welding

SECTION 3 - BRAKES

Section Contents:

Sub-section	Subject
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	No additional inspection requirements
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SECTION 4 – TYRES & ROADWHEELS

Section Contents:

Sub-section	Subject
4.1	Tyres – Condition

4.1 TYRES

Method of Inspection	Reason for Rejection
<p>Condition of Tyres</p> <p>On all the tyres, including spare wheel - where fitted, examine each tyre meets all the requirements laid down in the MOT Inspection Manual for Car & Light Commercial Vehicles (ISBN 0-9549239-0-1)</p> <p>Note 1 Where a doughnut tank is fitted in the boot for LPG, the spare wheel if still carried in the boot must be properly secured. Alternatively, a spare wheel cage installed to manufacturers and British Standards may be fitted to the underside of the vehicle.</p>	<p>In accordance with the MOT Inspection Manual for Car & Light Commercial Vehicles (ISBN 0-9549239-0-1)</p> <p>Note 2 Space saver tyres should only be approved with the support of a method statement highlighting driver responsibilities with regard to the maximum permitted speed and that space savers are a temporary 'get-you-home tyre'.</p>
<p>SPECIAL NOTICE – STRETCHED LIMOUSINES: In the case of American imported stretched limousines, vehicle inspectors will need to be vigilant when inspecting tyres for suitability. Most converted stretched limousines are converted from Ford Lincoln Town Cars with a number of Cadillac variants also. In approved 'stretch' limousine conversions, the maximum weight is approximately 7,100lbs (3.2tonnes) and care should be exercised when determining suitable tyre ratings. Generally speaking a Ford Lincoln or Cadillac would require a tyre rating index of at least 107 T, which gives a load rating of 2,149 lbs (975 kgs) with a maximum speed of 118 miles per hour.</p>	<p>STRETCHED LIMOUSINES More information, guidance and the procurement of suitable tyres can be obtained from: North Hants Tyres & Wheels, Henry John House 2 Ivy Road, Aldershot GU12 4TX Telephone: 01252 318666</p> <p style="text-align: center;">OR</p> <p>National Limousine & Chauffeur Association on: www.nlca.co.uk</p>

SECTION 5 – SEAT BELTS

Section Contents:

Sub-section	Subject
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	No additional inspection requirements
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SECTION 6 – BODY AND STRUCTURE

Section Contents:

Sub-section	Subject
6.1	Vehicle Body and Condition – (Exterior)
6.1	Vehicle Body, Security and Condition – (Interior)
6.2	Doors and Seats
6.4	Bumper Bars

6.1 VEHICLE BODY AND CONDITION – (EXTERIOR)

Method of Inspection	Reason For Rejection
<p>Body Condition (Exterior) Examine the body thoroughly for security, corrosion, damage, poor repair/paint match or sharp edges that are likely to cause injury.</p>	<p>Body Condition (Exterior)</p> <ol style="list-style-type: none"> a. An insecure or missing body panel, trim, step or accessory. b. Any sharp edge whatsoever which may cause injury. c. Heavy scuffing, abrasions or deformation to front and rear bumper. d. More than 8 stone chips visible on a bonnet/grill that has not penetrated to the metal or more than 4 stone chips that have penetrated to the metal. e. More than 8 stone chips on any panel including door edges, provided the base coat has not been penetrated. f. More than 4 stone chips on any panel where the base coat has been penetrated to the metal and is untreated. g. A single dent of more than 80mm, or more than 3 dents of not more than 20mm in any one panel h. More than 4 scratches and or abrasions of more than 50mm in length in any one panel provided that the base coat has not been penetrated. i. Dull, faded paintwork which has lost its gloss finish or paint miss match to a panel(s) to such an extent that it detracts from the overall appearance of the vehicle. j. Evidence of poor repairs and or paint finish to a repaired panel(s) including runs and overspray to adjoining panels/trim that detracts from the overall appearance of the vehicle. k. Obvious signs of rust/corrosion of any size particularly those that are covered by advertising signs. l. Lack of clearly displayed or omission of 'No Smoking' signs.

6.1 VEHICLE BODY, SECURITY AND CONDITION – (INTERIOR)

Method of Inspection	Reasons For Rejection
<p>Body Condition (Interior)</p> <ul style="list-style-type: none"> a. Examine thoroughly the interior for damaged, insecure or loose fixtures, fittings or accessories. b. Dirty, missing and worn trim, carpets, seat belts, mats, headlining, boot area and inclusion of prescribed items. Remove mats to inspect carpets underneath for cleanliness and wear. c. Examine interior lights, motion door locks and warning lights. d. Examine heating, demisting and air condition systems for correct operation, including passenger compartment controls where fitted(includes electric front and rear screen demisters) e. Examine all windows ensuring they allow lowering and rising easily. f. Examine interior door locks, grab handles/rails safety covers g. Examine grills/partitions for security and condition h. Examine electrical wiring for condition, security, including intercom systems. 	<ul style="list-style-type: none"> a. Insecure and loose fixtures, fittings or accessories. b. Missing, dirty, soiled, stained worn or insecure trim, carpets, headlining, and mats. c. An inoperative interior light (all lights must illuminate if they are part of the manufacturer’s standard equipment). Missing or defective motion switch/lock or warning lamp not illuminated d. A system(s), which does not function correctly, or any part is missing including vents, controls and switches. e. An opening window that is inoperative or difficult to open and or close mechanism broken/missing. f. Missing, defective or loose door locks, child locks, protective covers grab handles and rails. Grab handles/rails, which are rigid to aid the blind and partially sighted, and are worn to excess. g. A grill/partition which is insecure or has sharp edge which may cause injury to passengers or driver. h. Frayed, chaffing wiring, non-shielded terminals and cables so routed that they cause a trip hazard, cables that can be easily disconnected. Intercom system defective, warning light inoperative and signs illegible/missing.

Method of Inspection	Reason for Rejection
<p data-bbox="191 310 716 342">Body Condition (Interior) (continued)</p> <p data-bbox="247 345 1062 410">i. Examine the boot for access, contents, cleanliness, and water ingress.</p> <p data-bbox="191 480 1062 545">Additional items to be inspected in limousines and novelty vehicles:</p> <p data-bbox="247 578 1062 675">j. All fixtures and fittings i.e. mirror balls, drinks cabinets, televisions etc must be stored securely and not hinder the ingress or egress from the passenger compartment.</p> <p data-bbox="247 678 1062 846">k. A notice identifying the maximum seating capacity to be displayed in the passenger compartment and clearly visible to all passengers. It may be necessary to display more than one sign indicating the maximum seating capacity.</p> <p data-bbox="191 878 1024 943">Note: <u>Any vehicle presented in a dirty, untidy condition will not be tested</u></p>	<p data-bbox="1129 345 1923 475">i. Unable to open, close and or lock boot lid, failure of boot lid support mechanism, defective seals/evidence of water ingress, dirty boot and or carpets, loose items stored in boot (i.e. spare wheel tools and equipment etc).</p> <p data-bbox="1129 578 1923 675">j. Any fixture or fitting, that is loose or insecure or where walkways are blocked that prevents ease of ingress or egress from the passenger compartment.</p> <p data-bbox="1129 678 1923 743">k. No maximum seating capacity sign or signs displayed. A sign or signs not clearly visible to all passengers</p>

6.2 DOORS and SEATS

Method of Inspection	Reason for Rejection
<p data-bbox="191 375 594 407">Doors and Emergency Exits</p> <p data-bbox="191 443 1045 540">Examine the condition of all doors and emergency exits. Check door locks, striker plates, handles and hinges for security, wear and missing and damaged trim/cover plates.</p> <p data-bbox="191 678 1045 776">Check markings describing the presence and method of opening emergency exit(s) are readily visible on or adjacent to the exit and are legible.</p> <p data-bbox="191 846 932 878">Check that seats are secure, clean and not unduly worn.</p> <p data-bbox="191 914 1045 1011">IMPORTANT NOTE: With the exception of ‘novelty vehicles’ only vehicles with forward and rear facing seats will be accepted.</p> <p data-bbox="191 1047 1045 1112">For more information on seating for novelty vehicles see Section 12.2</p>	<p data-bbox="1052 375 1455 407">Doors and Emergency Exits</p> <ul style="list-style-type: none"> <li data-bbox="1052 443 1898 508">a. A door or emergency exit does not latch securely in the closed position. <li data-bbox="1052 513 1898 610">b. A door or emergency exit cannot be opened from both the inside and outside the vehicle from the relevant control in each case. <li data-bbox="1052 615 1780 647">c. Missing, loose or worn handles, lock or striker plate. <li data-bbox="1052 683 1898 748">d. Markings describing the presence and method of opening an emergency exit missing, illegible or incorrect. <li data-bbox="1052 784 1675 816">e. Missing, loose or damaged trim/cover plate. <li data-bbox="1052 852 1898 982">f. Seat cushion(s) stained, torn, holed, worn or insecure. A seat that does not provide adequate support at base or backrest. Torn, slashed or badly stained seats are not acceptable.

6.2 DOORS and SEATS (continued)

Method of Inspection	Reason for Rejection
<p>Accessibility: Wheelchair Vehicles</p> <p>Door Configurations for wheelchair accessible vehicles:</p> <ul style="list-style-type: none">a. Single rear door – must open to a minimum of 90 degrees and be capable of locking in place.b. Twin rear doors – both must open to a minimum of 180 degrees and be capable of being locked in place. This is to enable an attendant (driver or guide) to assist the wheelchair passenger if required.	<ul style="list-style-type: none">a. Door does not open to a full 90 degrees and cannot be secured in the open positionb. Twin doors do not open to a full 180 degrees and cannot be secured in the open position

6.4 BUMPER BARS

Method of Inspection	Reason for Rejection
<p>Examine the bumper bars and check:</p> <ul style="list-style-type: none">a. They are secure to their mountings.b. The mountings are secure to the vehicle.c. There is no evidence of damage.	<ul style="list-style-type: none">a. A loose bumper bar or mounting. A weakened bumper bar and/or mounting is insecure because of poor repairs.b. A fractured mounting bracket. Mounting bolts so worn or elongated that the bumper bar is likely to detach partially or completely from the vehicle when in use. A bumper bar secured by wire or other temporary means is regarded as insecure and must be rejected.c. Bumper bars which have jagged edges, cracks, splits or projections, which may cause injury to persons near the vehicle. Paint miss match or fading which is significantly different to that of the rest of the paintwork.

SECTION 7 – FUEL & EMISSIONS

Section Contents:

Sub-section	Subject
7.1	Exhaust System
7.2	Fuel System – Pipes & Tanks

7.1 EXHAUST SYSTEM

Method of Inspection	Reason for Rejection
Where applicable, check for presence, security and adequacy of grease shields to hot exhausts.	A heat shield missing, insecure or inadequate

7.2 FUEL SYSTEM - PIPES & TANKS

Method of Inspection	Reason for Rejection
<p>a. Examine fuel tank(s) for security and leaks</p> <p>b. Check that fuel tank filler caps are:</p> <ul style="list-style-type: none">○ Present○ Of the correct type○ Secure and seated properly to ensure correct function of sealing <p>c. Examine pipes to see they are securely clipped to prevent damage by chafing and cracking, and are not in a position where they will be fouled by moving parts</p> <p>d. Check that no fuel pipe runs immediately adjacent to or in direct contact with electrical wiring or the exhaust system</p>	<p>a. Fuel tank insecure or leaking</p> <p>b. A filler cap missing or unsuitable or in such condition that it would not prevent fuel leaking or spilling</p> <p>Note: Temporary/emergency fuel caps are not permitted.</p> <p>c. Damaged, chafed, insecure pipes, or pipes so positioned that there is a danger of them fouling moving parts</p> <p>d. A fuel pipe immediately to or in direct contact with electrical wiring or exhaust system</p>

SECTION 8 – DRIVERS VIEW OF THE ROAD

Section Contents:

Sub-section	Subject
8.1	Mirrors
8.3	Windscreen – View to the Front
8.5	Window Glass or Other Transparent Material

8.1 MIRRORS

Method of Inspection	Reason for Rejection
<p>The number and position of all obligatory mirrors must be checked:</p> <p>a. Check the condition of each mirror reflecting surface and whether a person sitting in the drivers seat can see clearly to the rear</p>	<p>Note: A defective additional external mirror is not a reason for rejection.</p> <p>a. Mirror condition</p> <ul style="list-style-type: none">• A mirror reflecting surface deteriorated or broken.• In such a position that a person sitting in the driver's seat cannot see clearly to the rear.

8.3 WINDSCREEN - VIEW TO THE FRONT

Method of Inspection	Reason for Rejection
<p>Sit in the driver's seat and check that there is reasonable view of the road ahead, bearing in mind the original design of the vehicle.</p> <p>a. For all air operated wipers examine:</p> <ul style="list-style-type: none">○ The condition of any visible piping○ The function of the operating mechanism, and○ The function of necessary valves to protect the braking system <p>Note: Equipment or objects not originally fitted to the vehicle as part of the original design must not obstruct the designed forward view of the driver. In particular, objects such as (but not limited to) pennants, cab decorations and external stone guards/visors should not interrupt the view through the swept area by the windscreen wipers.</p>	<p>The position or size of any object restricts the driver's view of the road ahead, bearing in mind the original design of the vehicle.</p> <p>a. Air operated wipers</p> <ul style="list-style-type: none">○ Pipes inadequately clipped or supported○ Incorrect function of the wipers or leaking components○ Incorrect operation of protection valves

8.5 WINDOW GLASS OR OTHER TRANSPARENT MATERIAL

Method of Inspection	Reason for Rejection
<p>a Visually check the condition of all windscreens, internal screens, partitions, side, rear, roof and door windows for cracks, surface damage and discolouration.</p> <p>b Check presence and security of all windscreens, side, roof, or rear windows, or internal screens or partitions.</p> <p>c Check for evidence of obvious leaks from all windscreens and side, rear, roof or door windows.</p> <p>d Check for presence, security and condition of guard rails or barriers at windows, internal screens or partitions</p> <p>e For all vehicles first used before 1 January 1959. As far as is practicable, check that glass fitted to windscreens and outside windows facing to the front is safety glass, except glass fitted to the upper deck of a double deck bus.</p> <p>f For all vehicles used on or after 1 January 1959, as far as is practicable, check that glass used for windscreens and all outside windows is safety glass, or safety glazing.</p> <p>g Vehicles first used on or after 1 June 1978, check that windscreens and other windows, wholly or partly, on either side of the drivers' seat are made from safety glass displaying an acceptable safety mark.</p>	<p>a A crack, surface damage or discoloration in glass or other transparent material that:</p> <ul style="list-style-type: none"> o Impairs the driver's front, side, or rear view of the road, or; o Presents a danger to any person in the vehicle. <p>b A windscreen or any other outside window missing, or any windscreen, window, internal screen or partition insecure.</p> <p>c Any external window or windscreen is obviously leaking.</p> <p>d A guard-rail or barrier at a window, internal screen or partition missing, insecure or damaged.</p> <p>e The windscreen and/or any outside window facing to the front of a vehicle obviously not safety glass fitted to a vehicle first used before 1 January 1959.</p> <p>f Glass used for a windscreen or an outside window is obviously not safety glass.</p> <p>g For vehicles first used on or after 1 June 1978, that windscreens and/or other windows wholly or partly on either side of the drivers seat that are not made from safety glass display an acceptable safety mark.</p>
<p>Note: Marking is not required for safety glass used on vehicles first used before 1 June 1978.</p>	

SECTION 9 – Tricycles & Quadricycles

Section Contents:

Sub-section	Subject
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	No additional inspection requirements
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SECTION 10 – ADDITIONAL REQUIREMENTS

Section Contents:

Sub-section	Subject
10.1	Speedometer
10.2	Transmission
10.3	Engine & Transmission Mountings
10.4	Oil & Water Leaks
10.5	Luggage/Load Space
10.6	Trailers & Towbars

10.1 SPEEDOMETER

Method of Inspection	Reason for Rejection
<ul style="list-style-type: none">a. Check that a speedometer is fitted.b. Check the condition of the speedometer.c. Check that the speedometer can be illuminated.	<ul style="list-style-type: none">a. Speedometer not fitted.b. Speedometer not complete or clearly inoperative, or dial glass broken or missing.c. The speedometer cannot be illuminated.

10.2 TRANSMISSION

Method of Inspection	Reason for Rejection
<p>Examine transmission, check for:</p> <ul style="list-style-type: none">a. Missing or loose flange boltsb. Cracked or insecure flangesc. Wear in shaft and/or wheel bearingsd. Security of bearing housingse. Cracks or fractures in bearing housingsf. Wear in universal jointsg. Deterioration of flexible couplingsh. Distorted, damaged shaftsi. Deterioration of bearing housing flexible mountingsj. Clearance between transmission shafts and adjacent components	<ul style="list-style-type: none">a. A loose or missing flange bolt(s)b. A flange cracked, or loose on the transmission shaftc. Excessive wear in shaft bearingd. A bearing housing insecure to its fixinge. A cracked or fractured bearing housingf. Excessive wear in a universal jointg. Deterioration of a transmission shaft flexible couplingh. A damaged, cracked or bent shafti. Deterioration of a flexible mounting of a bearing housingj. Evidence of fouling between any transmission shaft and an adjacent component

10.2 TRANSMISSION (cont'd)

Method of Inspection	Reason for Rejection
<p>Front Wheel Drive</p> <p>a. Check the drive shaft inner and outer universal joint couplings and constant velocity joints for:</p> <ul style="list-style-type: none"> ○ Wear and security ○ Damage to flexible rubber or fabric universal joints ○ Security and oil contamination of flexible rubber or fabric universal joints ○ Condition, presence and security of constant velocity joint gaiters 	<ul style="list-style-type: none"> ○ Drive shaft constant velocity or universal joint coupling worn or insecure ○ A flexible rubber or fabric universal coupling unit damaged by severe cracking or breaking up ○ A flexible rubber or fabric universal coupling unit excessively softened by oil contamination or insecure ○ A drive shaft constant velocity joint gaiter split, missing or insecurely mounted

10.3 ENGINE AND TRANSMISSION MOUNTINGS

Method of Inspection	Reason for Rejection
<p>a. Examine condition of:</p> <ul style="list-style-type: none"> ○ mountings ○ sub-frames <p>And</p> <p>b. The security to chassis and check for:</p> <ul style="list-style-type: none"> ○ fractures ○ looseness ○ Deterioration 	<p>} } } } } } } } } } } }</p> <p>Any mounting or sub-frame</p> <ul style="list-style-type: none"> - loose - fractured - deteriorated - inappropriate repair

10.4 OIL AND WATER LEAKS

Method of Inspection	Reason for Rejection
<p>a. Check vehicle for oil and water leaks from any assembly or component to the ground.</p> <p>b. And/or which could be deposited on surrounding bodywork or onto the exhaust system.</p>	<p>a. An oil or water leak, from any assembly, which deposits fluids underneath the vehicle whilst stationary.</p> <p>b. Leaks which, when the vehicle is moving, could be deposited upon the surrounding bodywork, exhaust and brake system so that it would:</p> <ul style="list-style-type: none">○ Contaminate areas○ Could potentially cause a health, safety or fire risk
<p>Note: If necessary, the engine can be run at <u>idle speed</u> to confirm the existence of an oil leak.</p>	

10.5 LUGGAGE/LOAD SPACE

Method of Inspection	Reason for Rejection
<p>Physical separation is not so much an issue as is the safety of passengers in the event of an accident. The luggage should therefore be secure and prevented from becoming dislodged in an accident in such a manner as may cause injury. Such security can be by means of a sheet or net, which could be anchored to the floor of the luggage area. Clearly if the luggage compartment is not physically separated from the passenger compartment then care will need to be taken so as not to carry any hazardous items such as fuel cans, detergents or other loose items that could leak if they become damaged.</p>	<ul style="list-style-type: none">○ Load restraint system, if required, not present at time of test.○ Load restraint system faulty or unserviceable.

10.6 TRAILERS & TOWBARS

Method of Inspection	Reason for Rejection
<p>TRAILERS</p> <p>a. Where a local licensing authority permits the use of trailers for the carriage of luggage, then the trailer needs to be presented for test along with the vehicle that will be authorised to tow it. The trailer will also need to display the appropriate registration plate and a licence plate.</p> <p>Note:</p> <p>Trailers presented for inspection should be built by an approved or recognised trailer manufacturer.</p> <p>An example of a typical trailer inspection sheet can be found at Appendix 'A'.</p> <p>TOW-BARS</p> <p>b. Where tow bars are fitted checks must be made on the condition and security to the towing vehicle.</p>	<p>a. Rejections as indicated on the trailer inspection sheet shown at Appendix 'A'</p> <p>b. Rejections as indicated on the trailer inspection sheet shown at Appendix 'A'</p>

SECTION 11 – ANCILLARY EQUIPMENT


Section Contents:

Sub-section	Subject
11.1	Wheelchair Restraint & Access Equipment
11.2	Fire Extinguisher
11.3	First Aid Kit

11.1 WHEELCHAIR RESTRAINT & ACCESS EQUIPMENT

Method of Inspection	Reason For Rejection
<p>WHEELCHAIR RESTRAINT</p> <p>a. Where applicable check condition and operation of wheelchair restraint.</p> <p>b. A system for the effective anchoring of wheelchairs shall be provided within the vehicle in all spaces designated as wheelchair spaces.</p> <p>WHEELCHAIR ACCESS & EQUIPMENT</p> <p>A vehicle shall be fitted with either of the following forms of wheelchair access equipment:</p> <p><u>Ramps</u></p> <p>c. Check that appropriate ramps fitted are securely installed in the designated storage area. Examine for damage, deformity, sharp edges etc. and provision of anti-slip covering.</p> <p><u>Wheelchair lift</u></p> <p>d. A purpose designed wheelchair lift shall conform to the LOLER 98 Regulations. A report, confirming that the lifting equipment is safe to use, shall be presented at the time of the vehicle inspection. Vehicles presented for inspection with a wheel chair lift will require a LOLER certificate that is valid for a period of six months from the date of issue.</p> <p>Note:</p> <p>Passenger lifting equipment will need to be thoroughly examined by a competent person, in use, at least once every six months.</p>	<p>a. A wheelchair restraint is defective, worn or missing.</p> <p>b. Wheelchair anchorage systems and devices does not conform to European Directive 76/115 EEC (as amended by 90/629 EEC). See Appendix 'B'.</p> <p>c. Ramps missing, insecurely stored, damaged/deformed, anti-slip covering in poor condition or missing.</p> <p>d. Vehicle not presented with a valid or current LOLER certificate.</p>

11.1 WHEELCHAIR RESTRAINT & ACCESS EQUIPMENT (Continued)

Method of Inspection	Reason for Rejection
<p>e. Any purpose designed wheelchair access ramp that is carried must be lightweight and easy to deploy. The installed ramp shall have visible reference to safe working load of 250 kgs and certified to BS 6109.</p> <p>f. Wheelchair access equipment shall be fitted either into the rear or side access door of the vehicle. Where it is fitted to a side door this shall be the door situated on the near side of the vehicle, i.e. kerbside when stopped in a normal road.</p> <p>g. The aperture of the door into which the access equipment is fitted shall have minimum clear headroom in its central third of 48 inches (1,220mm). The measurement shall be taken from the upper centre of the aperture to a point directly below on either, the upper face of the fully raised lift platform, or the upper face of the ramp fully deployed on level ground.</p> <p>h. A locking mechanism shall be fitted that holds the access door in the open position whilst in use.</p> <p>i. All wheelchair tracking must be fit for purpose and structurally sound.</p>	<p>e. The installed ramp does not have any visible reference to a maximum safe working load or certification to BS 6109.</p> <p>f. Wheelchair access equipment is fitted to the off- side access door of the vehicle.</p> <p>g. There is not clear headroom in the aperture within the central third of 48 inches (1,220mm).</p> <p>h. No evidence of a suitable locking mechanism to hold the door open.</p> <p>i. Damaged or insecure tracking or detritus deposits within the tracking rails</p>
<p>Further information on disabled people's transport is available from the Disabled Persons Transport Advisory Committee (DPTAC) website opposite </p>	<p>www.dptac.gov.uk</p>

11.2 FIRE EXTINGUISHER

Method of Inspection	Reason For Rejection
<p>a. Check the fire extinguisher for presence:</p> <ul style="list-style-type: none">• the expiry date• Seal.• Type – water, CO₂ or foam or dry powder• Approved mark - BS5423 or EN3 <p>b. The fire extinguisher must be kept in an accessible position inside the vehicle. The extinguisher may be carried out of view, i.e. in a fastened glove compartment provided there is a clear sign on the dashboard, stating the location.</p>	<p>a. A fire extinguisher is missing or:</p> <ul style="list-style-type: none">• out of date• broken or missing seal.• No approved marking visible or other non-approved marking shown <p>b. Not fitted in an accessible position or its position is not clearly marked.</p>

11.3 FIRST AID KIT

Method of Inspection	Reason For Rejection
<p>a. Check the first aid kit for presence, the expiry date and the seal is intact.</p> <p>b. The first aid kit must be kept in an accessible position inside the vehicle. The first aid kit may be carried out of view, i.e. in a fastened glove compartment provided there is a clear sign on the dashboard, stating the location.</p>	<p>a. A first aid kit is missing, out of date, broken or the seal has been broken.</p> <p>b. The first aid kit is not fitted in an accessible position or its position is not clearly marked.</p>

SECTION 12 – NOVELTY VEHICLES (STRETCH LIMOUSINES):

Section Contents:

Sub-section	Subject
12.1	Vehicle Identification Number (VIN)
12.2	Seating Capacity
12.3	Undue Stresses
12.4	Passenger Notices

12.1 Vehicle Identification Number (VIN)

Method of Inspection	Reason For Rejection
<p>Vehicle Identification Number (VIN), should be checked to ensure it complies with the guidance as follows:</p> <ul style="list-style-type: none">• For vehicles constructed from 1998 onwards the VIN should begin with ILI;• Pre 1998 vehicles (not recommended for licensing as private hire vehicles) VIN should begin with ILM;• If a VIN begins with ILN or anything other, then this is likely to be a non approved ('cut-and-shut) modification.	<p>a. Inappropriate VIN markings displayed or no VIN markings present.</p>

12.2 Seating Capacity

Method of Inspection	Reason For Rejection
<p>It is strongly recommended that prior to the inspection of a novelty vehicle the inspector checks the seating capacity on the V5C to ensure it does not exceed 8 passenger seats.</p>	<p>If the V5C states more than 8 passengers, then this vehicle MUST NOT be tested or licensed as a Private Hire Vehicle. The vehicle should be referred to VOSA for licensing as a passenger carrying vehicle (PCV).</p>

12.3 Undue Stresses

Method of Inspection	Reason For Rejection
<p>Vehicle inspectors should be aware of undue stresses caused to the steering, brakes and tyres due to the additional weight imposed on the vehicle at the modification process.</p>	<p>Tolerances and wear should be as defined in the VOSA Car & Light Commercial Vehicle Testing Manual as follows:</p> <ul style="list-style-type: none">• Steering - Section 2• Brakes - Section 3• Tyres - Section 4

12.4 Passenger Notices

Driver Declaration

Local licensing authorities are strongly advised to obtain a declaration, from the operator of a licensed novelty vehicle, that vehicles with side facing seats will never be used to carry passengers under 16 years of age, **regardless of whether the vehicle is fitted with or without seatbelts.**

Passenger Notices

- i. In addition, notices forbidding children to be carried in side facing seats must be displayed in prominent positions, i.e. on entry to the passenger compartment and on the inside of the vehicle on either side of the passenger compartment. In addition, local licensing authorities may require outward facing signs adjacent to all entrance/exit doors to the passenger compartment.
- ii. Further notices should be displayed inside the vehicle, where all passenger can clearly read the notice, advising passengers of the maximum carrying capacity of the vehicle and a warning to passengers that should the capacity be exceeded then the vehicle will not be insured.

HACKNEY CARRIAGE & PRIVATE HIRE**TRAILER INSPECTION SHEET**

Plate Number of towing vehicle:

Registration number of towing vehicle:

Registered owner of vehicle:

Manufacturers plate showing chassis number:

Manufacturers plate showing maximum weight:

Inspection area	Description	Pass (✓)	Fail (x)
Licence plate	Contains details & complies with local licensing authorities format		
Licence plate	Clearly displayed, legible, and securely fixed		
Licence plate	Serviceable – not damaged or defaced		
Trailer couplings	Check condition & operation and presence of a safety <i>breakaway</i> cable.		
Tow bar mounting brackets	Check condition and security		
Trailer body	Check condition of side and rear tailboards		
Trailer chassis	Check condition		
Suspension	Check condition and operation		
Wheel bearings	Check for excessive free play or roughness in bearings		
Tonneau cover & fittings	Check for condition		
Wheels and tyres	Check security, condition and wear		
Braking system	Operates satisfactorily		
Lighting	All obligatory lights work		
Indicators	All indicators work		
Reflective triangle	Check presence and condition		
Number plate	Check condition, security of fitting and displayed clearly		
Speed restriction notice	Check condition and displayed clearly		

I hereby certify that the above trailer has been inspected and has/has not* been found to be roadworthy and suitable to be used as a hackney carriage/private hire* trailer at the time of inspection.

Examined by (name)

Signature Date.....

* Delete as appropriate

DEFINITION OF MOTOR VEHICLES

Appendix 'B'

Category	Definition
M	A motor vehicle with at least four wheels designed and constructed for the carriage of passengers.
M₁	Vehicles designed and constructed for the carriage of passengers and comprising no more than eight seats in addition to the drivers seat.
M₂	Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the drivers seat, and having a maximum mass not exceeding five tonnes
M₃	Vehicles designed and constructed for the carriage of passengers and comprising more than eight seats in addition to the drivers seat, and having a maximum mass exceeding five tonnes

Hackney Carriage and Private Hire Vehicle Test Criteria

Hackney Carriage and Private Hire Vehicles in order to pass on the Part One and Part Two tests must ensure that:

General Condition

- (a) Engine bay clean;
- (b) Vehicle exterior to be clean;
- (c) Interior lights required and to be working;
- (d) No rips in the upholstery or cigarette burns of more than two inches or multiple cigarette burns;
- (e) No rips in the carpet or floor covering;
- (f) Boot or luggage area must be dry and clean;
- (g) Front and rear demister in working order;
- (h) Where a vehicle is supplied with ashtrays they must be in place, unless the space where the ashtray was is blocked off to the satisfaction of the vehicle examiner;
- (i) li) There are no dents of more than two inches across;
- (j) No more than four dents per panel and not more than eight in total;
- (k) Scratches not more than two inches - pass (subject to below);
- (l) Any dents/scratches/stone chippings must not be rusting;
- (m) The colour of the vehicle must be consistent throughout;
- (n) If anything other than one colour any deviations should be done professionally;
- (o) Internal Private Hire and Hackney Carriage Vehicle Sticker must be placed in top left corner of front windscreen. Where the vehicle has a safety screen the sticker should be placed on this;
- (p) The external plate issued by the Council shall state the Private Hire Vehicle licence number, the maximum number of passengers which the Council has licensed the vehicle to carry and must be fixed on the rear of the vehicle. Where practicable the plate must be visible when the boot is in an upright position, and preferably low down on the extreme right or left hand side of the vehicle. The plate must not extend below the bumper line of the vehicle and not be placed in the rear window of the vehicle.

Tyres

All tyres to be of same size.

Car Numbers

A small call sign number on rear of vehicle.

Scanning Equipment

The vehicle licence holder shall ensure that the vehicle is not equipped with any scanning equipment.

Fire Extinguisher

Each licensed vehicle must carry a fire extinguisher of any type, it must be a minimum of one litre capacity. The Fire extinguisher shall be marked with the vehicle registration number in black permanent marker pen. A notice explaining where extinguisher located. The extinguisher must be securely fixed in a readily accessible position inside the vehicle or in the boot. Without the fire extinguisher the licence will not be issued.

First Aid Kit

The first aid kit shall consist of the following:

- Eye pad;
- Triangle bandage ;
- Cleansing wipe;
- Powder free gloves;
- Conforming bandage;
- Washproof plaster.

For Wheelchair Accessible Vehicles

- (a) The following will fail the Part Two Test:
- (b) Wheelchair securing straps not available;
- (c) Securing straps not adequately secured when not in use;
- (d) Seat belts not available for wheelchair passengers;
- (e) Securing straps have no means of release;
- (f) Securing mechanisms in floor present a trip hazard;
- (g) Rough edges are present on any device used to secure wheelchair.

Ramps

The following will fail the Part Two Test:

- (a) Ramps are not able to be adequately secured when not in use;
- (b) No means of securing ramps to vehicle when in use (pins, clamps) etc;
- (c) Incline of ramps more the 1:12 (to pavement for side loading vehicles, to road for rear loading vehicles);
- (d) Ramps are not marked with maximum load bearing capacity;
- (e) Ramps are not permanently marked with vehicle registration number;
- (f) Rough edges are present on any device to secure a wheelchair;
- (g) Non-slip surface or raised edges not present on ramps.

Private Hire Vehicles Only

No roof signs on Private Hire Vehicle

A licensed vehicle may not be a London type taxi (TX1 and Metrocab) or of such a design an appearance as to lead any person to believe that the vehicle is a Hackney Carriage.

If the licensed vehicle is hatchback or estate or minibus it must be fitted with a boot cover or guard rail to separate the rear luggage area from the passengers to the approval of the Council.

Hackney Carriage and Private Hire vehicles:
Plate test for motorised vehicles 2013

1. The whole exterior of the vehicle must be adequately maintained and clean, to allow for identification, visual amenity and the protection of other's property;
2. The interior of the vehicle must be safe for all classes of the public;
3. Passenger seats must be a minimum of 406mm in width. In addition, there must be a minimum of 229mm of clear knee space, measured from the front portion of the passenger seat to the surface in front;
4. Where adjustable windows are installed, they must be capable of use by passengers to ensure comfort and safety;
5. An appropriate number of interior lights must be fitted to ensure passenger comfort and safety;
6. Any upholstery must be undamaged and unblemished for comfort, safety and visual amenity;
7. Carpet or floor covering must be secure to promote the safety of passengers;
8. The boot or luggage area of the vehicle must be clean and dry to ensure the protection of customer property and for visual amenity;
9. The boot or luggage area of the vehicle must be adequately equipped to ensure the safe and secure transportation of luggage;
10. Front and rear window demisters must be in good working order to enable the driver to maintain a good level of vision and awareness of the road at all times;
11. The Council issued vehicle internal identification sticker must be displayed so that it is clearly visible to all passengers;
12. The Council issued vehicle licence plate must be fixed so that, where practicable, it is visible when the boot is in an upright position. The plate must also not extend below the bumper line and must not be placed in the rear window of the vehicle;
13. All tyres fitted must be appropriate for the type of vehicle;
14. The vehicle must carry a fire extinguisher that meets the BS EN3 standard and bears the British Standard kitemark. It must be fitted with a seal to verify that it has not been used, permanently marked with the vehicle registration number and securely fixed in a easily accessible position;
15. Where a vehicle is fitted with a meter:
 - (a) It must be fitted so as to be visible to all passengers and;
 - (b) A current Council tariff card must be displayed so that it is clearly visible to all passengers;
16. The vehicle must carry a first aid kit which is fixed in an easily accessible position and;
 - (a) Contains at least one of each of the following items:
 - Eye pad
 - Triangle bandage

- Cleansing wipe
- Powder free gloves
- Conforming bandage
- Washproof plaster

(b) Where applicable, the items listed above must not be beyond their expiry date.

17. Doors must be capable of being secured in an open position to ensure passenger safety;

Wheelchair accesible vehicles

18. The vehicle must be equipped with a system that enables and promotes the safe, secure and comfortable boarding, conveyance and alighting of wheelchair bound passengers in accordance with the Hackney Carriage and Private Hire National Inspection Standards.

Overall judgment of inspector

19. At the time of the vehicle being tested, it must, in the inspector's opinion, be vehicle capable of withstanding the demands of operating as a licensed vehicle for the period of a year and therefore fit to be licensed as a Hackney Carriage or Private Hire vehicle.

DRAFT

Motorised vehicle plate test

Registration number

Plate number

Date of plate test

Chassis/VIN no.

1.	Is the whole exterior of the vehicle adequately maintained and clean, to allow for identification, visual amenity and the protection of other's property?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	Is the interior of the vehicle safe for all classes of the public?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.	Are all of the passenger seats at least 406mm in width. And is there at least 229mm of clear knee space, measured from the front portion of the passenger seat to the surface in front?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.	Where adjustable windows are installed, are they capable of use by passengers, to ensure comfort and safety?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
5.	Are there an appropriate number of interior lights fitted to ensure passenger comfort and safety?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.	Is any upholstery undamaged and unblemished to ensure comfort, safety and visual amenity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.	Is the carpet or floor covering secure, to promote the safety of passengers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.	Is the boot or luggage area of the vehicle clean and dry to ensure the protection of customer property and for visual amenity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Is the boot or luggage area of the vehicle adequately equipped to ensure the safe and secure transportation of luggage?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10.	Are the front and rear window demisters in good working order to enable the driver to maintain a good level of vision and awareness of the road at all times?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11.	Is the Council issued vehicle internal identification sticker displayed so that it is clearly visible to all passengers? (Not applicable to new vehicles)	<input type="checkbox"/> Yes <input type="checkbox"/> No
12.	Is the Council issued vehicle licence plate fixed so that, where practicable, it is visible when the boot is in an upright position? (The plate must not extend below the bumper line and must not be placed in the rear window of the vehicle.)	<input type="checkbox"/> Yes <input type="checkbox"/> No

13.	Are all of the tyres fitted appropriate for the type of vehicle?	<input type="checkbox"/> Yes <input type="checkbox"/> No
14.	Is the vehicle equipped with a fire extinguisher that (a) Meets the BS EN3 standard and bears the British Standard Kitemark? (b) Is fitted with a seal to verify that it has not been used? (c) Is permanently marked with the vehicle registration number? (d) Is securely fixed in an easily accessible position?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15.	If the meter is fitted with a meter, is it: (a) Fitted to that it is visible to all passengers? (b) And is a Council tariff card displayed so that it is clearly visible to all passengers?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
16.	Does the vehicle carry a first aid kit which is in an easily accessible position and is equipped with the following items which, where applicable, must not be beyond their expiry date: (a) Eye pad; (b) Triangle bandage; (c) Cleansing wipe; (d) Powder free gloves; (e) Conforming bandage; (f) Washproof plaster.	<input type="checkbox"/> Yes <input type="checkbox"/> No
17.	Are all doors capable of being secured in an open position to ensure passenger safety?	<input type="checkbox"/> Yes <input type="checkbox"/> No
18.	For wheel chair accessible vehicles: Is the vehicle equipped with a system that enables and promotes the safe, secure and comfortable boarding, conveyance and alighting of wheelchair bound passengers in accordance with the Hackney Carriage and Private Hire National Inspection Standards?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
In the inspector's opinion, is the vehicle capable of withstanding the demands of operating as a licensed vehicle for the period or a year and thereby fit to be licensed as a Hackney Carriage or Private Hire vehicle?		<input type="checkbox"/> Yes <input type="checkbox"/> No – please write reasons for failure below.
Reasons for failure (use separate sheet if necessary):		

Inspector's signature

Inspector's name (printed)

Testing station name