



## TAXI LICENSING AND APPEALS COMMITTEE 25 MARCH 2009

Report of the Corporate Director of Environmental Services

### APPROVAL OF TAXI VEHICLE TESTING STATIONS

#### RECOMMENDATION

- 1.1 To consider the applications for inclusion on the Council's list of specified testing stations and to approve those testing stations which meet the required criteria.
- 1.2 To consider relaxing the conditions prohibiting testing stations that hold motor dealership franchises from carrying out warranty work on hackney carriage and private hire licensed vehicles.
- 1.3 To consider the request to relax the conditions prohibiting all testing stations from repairing and/or servicing hackney carriage and private hire licensed vehicles.

#### SUPPORTING INFORMATION

- 2.1 All contracts for the existing approved testing stations that undertake the testing of hackney carriage and private hire vehicles expire on 31 March 2009.
- 2.2 Following the required tender process, applications were received from the three existing stations and three new testing stations.
- 2.3 In order to be included on the approved list, vehicle testing facilities need to meet the Council's terms and conditions. These are set out in Appendix 2.
- 2.4 Following examination of the application forms and site visits, applicants A, B, C and D fully meet the assessment criteria. Applicants E & F meet most of the required criteria, but both hold a motor dealership franchise. As part of the terms and conditions they must have written approval from the Council before being accepted onto the list of specified testing stations.
- 2.5 Their contracts as dealerships also require them to carry out warranty work on eligible vehicles, including licensed hackney and private hire vehicles. The current terms and conditions would not allow this type of work to be carried out by an approved testing station, unless Committee decides to relax this condition as set out in paragraph 1.2.

- 2.6 Whilst officers were carrying out site visits to each applicant, one proprietor requested the Council to consider relaxing the condition that prohibits approved testing stations carrying out repairs and/or servicing to licensed vehicles. Committee is asked to consider this request which is set out in paragraph 1.3
- 2.7 At the previous Taxi Licensing & Appeals Committee meeting on 11 February 2009, members were keen to encourage more motor testing stations to apply to join the approved list, allowing more choice for the licensed trade.
- 2.8 The fee quotations submitted as part of each application are set out in Appendix 3. Members may reject an application on the basis of excessive fee levels.

**For more information  
contact:**

**Background papers:**

**List of Appendices:**

Ann Walker Tel. 01332 641996 e-mail [ann.walker@derby.gov.uk](mailto:ann.walker@derby.gov.uk)

None

Appendix 1 – Implications

Appendix 2 – Council's Terms & Conditions for Testing Stations

Appendix 3 – Price Quotation Forms

<b>IMPLICATIONS</b>
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**Financial**

1. None directly arising.

**Legal**

2. None directly arising.

**Personnel**

3. None directly arising.

**Equalities impact**

4. None directly arising.

**Corporate priorities**

5. The proposal supports the corporate priority of **giving excellent services and value for money.**



## **TERMS AND CONDITIONS**

**FOR THE TESTING OF HACKNEY CARRIAGE AND PRIVATE  
HIRE VEHICLES BY SPECIFIED TESTING STATIONS**

## **BREACHES OF TERMS AND CONDITIONS**

In relation to the breach of any of the terms and conditions in Sections 1-6 which follow, the following sanctions may be applied:

- (a) In the event of a serious breach (or repeated minor breaches) of terms and conditions in the opinion of licensing officers, the matter shall be referred to the Licensing and Appeals Committee, with a view towards termination of the contract between the Council and the testing station.
- (b) Minor breaches of terms and conditions may be resolved by consultation with licensing officers. However, where it is deemed appropriate, a written warning letter will be issued to the testing station. Should any testing station receive more than two such written warnings in a twelve month period, the matter shall be referred to the Licensing and Appeals Committee, as in (a) above.
- (c) Where breaches relate to an examiner's repeated failure to achieve the standard of testing required by the Council the examiner may be removed from the approved list for that testing station. The testing station would then be required to provide a replacement examiner; failure to do so could result in the contract being terminated by the Council.

## **SECTION 1**

### **DUTIES, RESPONSIBILITIES & OBLIGATIONS OF A “SPECIFIED TESTING STATION”**

1. It shall be the duty of each specified testing station to fully implement the provisions set out in Sections 2-6.
2. It shall be the duty of each specified testing station, by the consistent application of the licensing authority’s “Supplementary Testing Manual”, to ensure the highest standards of passenger comfort and safety in hackney carriage and private hire vehicles tested by it.
3. It shall be the duty of each specified testing station, to enable the licensing authority to fulfil its own obligations, to permit the monitoring and surveillance and auditing of testing standards by its own officers or through its appointed agents.
4. It shall be the duty of each specified testing station to comply with the requirements of the Health and Safety At Work etc. Act 1974 and Statutory Instruments made thereunder. This is in order to protect employees, members of the public and other people who may come into contact with the business.
5. Every specified testing station must be insured for any accident and/or loss arising to property persons or vehicles whilst undergoing test at either the premises of the testing station or elsewhere. The testing station will provide a full indemnity to the Council in relation to any expense, liability, loss, claim or proceedings in respect to any injury or damage whatsoever to any property real or personal or for personal injury or death. The insurance cover referred to shall not be less than £5m.
6. The successful organisation shall not, without the prior written approval of the licensing authority, engage in the business of a hackney carriage or private hire vehicle operator and/or vehicle proprietor, or hold a motor vehicle dealership franchise.
7. Any specified testing station which, with the consent of the licensing authority, is, or proposes, to operate hackney carriage or private hire vehicles shall be required to submit its own vehicles to an alternative specified testing station.
8. The proprietor/s of a specified testing station shall attend periodic service review meetings, if required by the Council.
9. No specified testing station shall undertake any form of repair work or pre-tests on vehicles subject to the testing regime.
10. The successful organisation shall be located within the administrative boundary of the City of Derby.

## **SECTION 2**            **TESTING STANDARDS**

The testing station shall be required:

- (a) to undertake the testing of hackney carriage and private hire vehicles at the request, and on behalf, of the licensing authority. The test shall be to the standard prescribed by the Secretary of State for Transport and shall also include the licensing authority's requirements contained in the current version of Derby City Council's "Supplementary Testing Manual".
- (b) to undertake, as part of the vehicle test, a road test including a meter check over marked distances specified by the licensing authority.
- (c) to retain its status as a Department of Transport authorised ("MoT") testing station, to enable it to be specified and operate as a testing station on behalf of the licensing authority.
- (d) to adopt, subject to consultation, changes to the Council's "Supplementary Testing Manual".

## **SECTION 3**            **TESTING TIMES**

The testing station shall be required:

- (a) to undertake testing as required from Monday to Friday (inclusive) between the hours of 8.30 am and 5.00 pm (with the last full test starting not later than 4.00 pm and the last re-test starting not later than 4.30 pm).
- (b) to undertake testing as required on Saturday mornings between the hours of 9.00 am and 12 noon ( with the last full test starting not later than 11 am and the last re-test starting not later than 11.30am).
- (c) to provide facilities for undertaking an emergency re-test which has not been programmed, but which can be reasonably accommodated within the available testing period.
- (d) to make available, subject to, prior notification by the licensing authority of the need to do so, nominated testers up to 10.00 pm on any weekday, to undertake testing of hackney carriage or private hire vehicles that are subject to a "spot check".
- (e) to immediately notify the licensing authority of any inability to test due to holidays, industrial action, or other unforeseen circumstances.

## **SECTION 4**            **PERSONNEL**

The testing station shall be required:

- (a) to ensure that all tests are undertaken by individually nominated DoT approved testers; and any proposed changes in nominated testers shall be immediately notified to the licensing authority. All new testers will require training and approval by the Council prior to them commencing testing on hackney

carriages and private hire vehicles. New testers should have at least 6 months experience of MOT testing or an appropriate motor engineering qualification (for example City & Guilds 381, parts 1 and 2)

- (b) to provide a minimum number of 2 nominated testers during hours of operation.
- (c) subject to notification by the licensing authority, to provide nominated testers as required for checking and sealing of meters on the revision of fares.
- (d) to release relevant nominated testers to attend Court as a witness on behalf of the licensing authority in the event of any legal proceedings involving and/or arising out of the conduct of a test, from test results or procedures. All reasonable costs of so doing will be met by the licensing authority.

## **SECTION 5**      **FACILITIES**

The testing station shall be required:

- (a) to provide and maintain the required standards of equipment as laid down by the Department of Transport.
- (b) to provide and maintain at least 1 MOT bay for hackney and private hire vehicle inspection during hours of operation.
- (c) to provide suitable and sufficient waiting and viewing accommodation for drivers of vehicles being tested and at least 2 parking spaces for vehicles awaiting test.
- (d) to provide suitable and sufficient office space for undertaking the licensing authority's administration procedures.
- (e) to permit authorised officers of the licensing authority access to the premises at all reasonable times, including whilst hackney carriage and private hire vehicles are undergoing a test.
- (f) to maintain a satisfactory level of cleanliness and housekeeping, as well as facilities for waiting drivers.

## **SECTION 6**      **ADMINISTRATION**

The testing station shall be required:

- (a) to complete all documentation relative to the vehicle test including the vehicle test or re-test report. The test reports and certificate will be in triplicate, with the originals issued to the vehicle proprietor, the second copy to the licensing authority and the third copy retained by the testing station.
- (b) to refer immediately to the licensing authority any disagreement or dispute over the vehicle test result, or other dispute.
- (c) not to accept for retest any vehicle for which the particular testing station has not undertaken the initial full test.



# APPENDIX 3

## DERBY CITY COUNCIL HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING PRESCRIBED LEVELS OF TESTING QUOTATION FORM

**COMPLETING THIS QUOTATION FORM** This form is to be used in conjunction with the "Prescribed Levels of Testing" form attached.  
Please write your quotation for each type of test in the boxes marked (a), (b), (c) and (d).

Type of Test	PURPOSE OF EXAMINATION AND STANDARD APPLICABLE				
	Annual Vehicle Licence	Annual Vehicle Licence with MOT Certificate	Spot Check	Accident Damage	Meter Check
1. Initial Test	(a) £ 86-00 D	(b) £ 106-00 D	(c) £ 68-00 D	(d) £ 68-00 D	(e) £ 82-00 D
2. Retests where key safety systems are involved – vehicle returned within 5 working days and not more than 500 registered miles from previous examination#	(a) £ 58-00 D	(b) £ 78-00 D	(c) £ 58-00 D	(d) £ 58-00 D	(e) £ 58-00 D
3. Retests where key safety systems are involved – vehicle returned after 5 working days and/or more than 500 registered miles from previous examination.	(a) £ 86-00 D	(b) £ 106-00 D	(c) £ 68-00 D	(d) £ 68-00 D	(e) £ 82-00 D
4. Retests where key safety systems are not involved – vehicle returned within 5 working days.	(a) £ 28-95 D	(b) £ 48-95 D	(c) £ 28-95 D	(d) £ 28-95 D	(e) £ 28-95 D
5. Retests where key safety systems are not involved – vehicle returned after 5 working days. > *	(a) £ 42-00 D	(b) £ 62-00 D	(c) £ 42-00 D	(d) £ 42-00 D	(e) £ 42-00 D

# Where repair work cannot be undertaken within 5 working days due to unavailability of parts, providing that the 500 miles are not exceeded and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and a date when the work will commence, the re-test will be as prescribed in line 2.

> Where repair work cannot be undertaken within 5 working days due to unavailability of parts, and the proprietor provides a copy of an order from a main agent specifying reason for the delay and the date when the work will commence, the retest will be as prescribed in line 2.

\* Where repairs to bodywork/paintwork cannot be undertaken within 5 working days due to delays at a garage body/paint shop, and the proprietor provides a copy of an order from the agent specifying the reason for the delay and the date the repair work will commence, the retest will be as prescribed in line 2.

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DERBY CITY COUNCIL  
HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING  
PRESCRIBED LEVELS OF TESTING  
QUOTATION FORM

APPENDIX C

COMPLETING THIS QUOTATION FORM

This form is to be used in conjunction with the "Prescribed Levels of Testing" form attached.  
Please write your quotation for each type of test in the boxes marked (a), (b), (c) and (d).

Type of Test	PURPOSE OF EXAMINATION AND STANDARD APPLICABLE				
	Annual Vehicle Licence	Annual Vehicle Licence with MOT Certificate	Spot Check	Accident Damage	Meter Check
1. Initial Test	(a) £ 88.00 £ 88.00	(b) £ 108.00 £ 108.00	(c) £ 84.00 £ 84.00	(d) £ 84.00 £ 84.00	(e) £ 84.00 £ 84.00
2. Retests where key safety systems are involved – vehicle returned within 5 working days and not more than 500 registered miles from previous examination#	(a) £ 60.00 £ 60.00	(b) £ 80.00 £ 80.00	(c) £ 60.00 £ 60.00	(d) £ 60.00 £ 60.00	(e) £ 60.00 £ 60.00
3. Retests where key safety systems are involved – vehicle returned after 5 working days and/or more than 500 registered miles from previous examination.	(a) £ 88.00 £ 88.00	(b) £ 108.00 £ 108.00	(c) £ 60.00 £ 60.00	(d) £ 60.00 £ 60.00	(e) £ 60.00 £ 60.00
4. Retests where key safety systems are <u>not</u> involved – vehicle returned within 5 working days.	(a) £ 40.00 £ 40.00	(b) £ 40.00 £ 40.00	(c) £ 40.00 £ 40.00	(d) £ 40.00 £ 40.00	(e) £ 40.00 £ 40.00
5. Retests where key safety systems are <u>not</u> involved – vehicle returned after 5 working days. > *	(a) £ 45.00 £ 45.00	(b) £ 45.00 £ 45.00	(c) £ 45.00 £ 45.00	(d) £ 45.00 £ 45.00	(e) £ 45.00 £ 45.00

- # Where repair work cannot be undertaken within 5 working days due to unavailability of parts, providing that the 500 miles are not exceeded and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and a date when the work will commence, the re-test will be as prescribed in line 2.
- > Where repair work cannot be undertaken within 5 working days due to unavailability of parts, and the proprietor provides a copy of an order from a main agent specifying reason for the delay and the date when the work will commence, the retest will be as prescribed in line 2.
- \* Where repairs to bodywork/paintwork cannot be undertaken within 5 working days due to delays at a garage body/paint shop, and the proprietor provides a copy of an order from the agent specifying the reason for the delay and the date the repair work will commence, the retest will be as prescribed in line 2.

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Garage B

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HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING  
PRESCRIBED LEVELS OF TESTING  
QUOTATION FORM

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Please write your quotation for each type of test in the boxes marked (a), (b), (c) and (d).

Type of Test	PURPOSE OF EXAMINATION AND STANDARD APPLICABLE				
	Annual Vehicle Licence	Annual Vehicle Licence with MOT Certificate	Spot Check	Accident Damage	Meter Check
1. Initial Test	£ 85.00 (a)	£ 105.00 (b)	£ 58.01 (c)	£ 58.01 (d)	£ 75.00 (e)
2. Retests where key safety systems are involved – vehicle returned within 5 working days and not more than 500 registered miles from previous examination#	£ 55.00 (a)	£ 75.00 (b)	£ 55.00 (c)	£ 55.00 (d)	£ 55.00 (e)
3. Retests where key safety systems are involved – vehicle returned after 5 working days and/or more than 500 registered miles from previous examination.	£ 85.00 (a)	£ 105.00 (b)	£ 55.00 (c)	£ 55.00 (d)	£ 75.00 (e)
4. Retests where key safety systems are <u>not</u> involved – vehicle returned within 5 working days.	£ 42.00 (a)	£ 62.00 (b)	£ 42.00 (c)	£ 42.00 (d)	£ 42.00 (e)
5. Retests where key safety systems are <u>not</u> involved – vehicle returned after 5 working days. > *	£ 50.00 (a)	£ 70.00 (b)	£ 50.00 (c)	£ 50.00 (d)	£ 50.00 (e)

- # Where repair work cannot be undertaken within 5 working days due to unavailability of parts, providing that the 500 miles are not exceeded and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and a date when the work will commence, the re-test will be as prescribed in line 2.
- > Where repair work cannot be undertaken within 5 working days due to unavailability of parts, and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and the date when the work will commence, the re-test will be as prescribed in line 2.
- \* Where repairs to bodywork/paintwork cannot be undertaken within 5 working days due to delays at a garage body/paint shop, and the proprietor provides a copy of an order from the agent specifying the reason for the delay and the date the repair work will commence, the re-test will be as prescribed in line 2.

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16 FEB 2009

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CHARGE

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HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING  
PRESCRIBED LEVELS OF TESTING  
QUOTATION FORM

APPENDIX C

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Please write your quotation for each type of test in the boxes marked (a), (b), (c) and (d).

Type of Test	PURPOSE OF EXAMINATION AND STANDARD APPLICABLE				
	Annual Vehicle Licence	Annual Vehicle Licence with MOT Certificate	Spot Check	Accident Damage	Meter Check
1. Initial Test	(a) £ 70-00	(b) £ 100-00	(c) £ 50-00	(d) £ 50-00	(e) £ 50-00
2. Retests where key safety systems are involved – vehicle returned within 5 working days and not more than 500 registered miles from previous examination#	(a) £ 35-00	(b) £ 35-00	(c) £ 35-00	(d) £ 35-00	(e) £ 35-00
3. Retests where key safety systems are involved – vehicle returned after 5 working days and/or more than 500 registered miles from previous examination.	(a) £ 35-00	(b) £ 35-00	(c) £ 35-00	(d) £ 35-00	(e) £ 35-00
4. Retests where key safety systems are not involved – vehicle returned within 5 working days.	(a) £ 35-00	(b) £ 35-00	(c) £ 25-00	(d) £ 35-00	(e) £ 35-00
5. Retests where key safety systems are not involved – vehicle returned after 5 working days. > *	(a) £ 35-00	(b) £ 35-00	(c) £ 35-00	(d) £ 35-00	(e) £ 35-00

- # Where repair work cannot be undertaken within 5 working days due to unavailability of parts, providing that the 500 miles are not exceeded and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and a date when the work will commence, the re-test will be as prescribed in line 2.
- > Where repair work cannot be undertaken within 5 working days due to unavailability of parts, and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and the date when the work will commence, the re-test will be as prescribed in line 2.
- \* Where repairs to bodywork/paintwork cannot be undertaken within 5 working days due to delays at a garage body/paint shop, and the proprietor provides a copy of an order from the agent specifying the reason for the delay and the date the repair work will commence, the re-test will be as prescribed in line 2.

**DERBY CITY COUNCIL**

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*M. J. J.*

GARRISON

# APPENDIX C

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	Type of Test	PURPOSE OF EXAMINATION AND STANDARD APPLICABLE				
		Annual Vehicle Licence	Annual Vehicle Licence with MOT Certificate	Spot Check	Accident Damage	Meter Check
1.	Initial Test	(a) £ 60.00 D	(b) £ 65.00 D	(c) £ 30.00 D	(d) £ 30.00 D	(e) £ 30.00 D
2.	Retests where key safety systems are involved – vehicle returned within 5 working days and not more than 500 registered miles from previous examination#	(a) £ 30.00 D	(b) £ 30.00 D	(c) £ 20.00 D	(d) £ 20.00 D	(e) £ 20.00 D
3.	Retests where key safety systems are involved – vehicle returned after 5 working days and/or more than 500 registered miles from previous examination.	(a) £ 40.00 D	(b) £ 40.00 D	(c) £ 20.00 D	(d) £ 20.00 D	(e) £ 20.00 D
4.	Retests where key safety systems are not involved – vehicle returned within 5 working days.	(a) £ 20.00 D	(b) £ 20.00 D	(c) £ 10.00 D	(d) £ 10.00 D	(e) £ 10.00 D
5.	Retests where key safety systems are not involved – vehicle returned after 5 working days. > *	(a) £ 20.00 D	(b) £ 20.00 D	(c) £ 10.00 D	(d) £ 10.00 D	(e) £ 10.00 D

- # Where repair work cannot be undertaken within 5 working days due to unavailability of parts, providing that the 500 miles are not exceeded and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and a date when the work will commence, the re-test will be as prescribed in line 2.
- > Where repair work cannot be undertaken within 5 working days due to unavailability of parts, and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and the date when the work will commence, the re-test will be as prescribed in line 2.
- \* Where repairs to bodywork/paintwork cannot be undertaken within 5 working days due to delays at a garage body/paint shop, and the proprietor provides a copy of an order from the agent specifying the reason for the delay and the date when the work will commence, the re-test will be as prescribed in line 2.

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Please write your quotation for each type of test in the boxes marked (a), (b), (c) and (d).

Type of Test	PURPOSE OF EXAMINATION AND STANDARD APPLICABLE				
	Annual Vehicle Licence	Annual Vehicle Licence with MOT Certificate	Spot Check	Accident Damage	Meter Check
1. Initial Test	(a) £ 87.00 £ D	(b) £ 87.00 £ D	(c) £ 45.50 £ D	(d) £ 45.50 £ D	(e) £ 45.50 £ D
2. Retests where key safety systems are involved – vehicle returned within 5 working days and not more than 500 registered miles from previous examination#	(a) £ 55.50 £ D	(b) £ 32.50 £ D	(c) £ 32.50 £ D	(d) £ 32.50 £ D	(e) £ 32.50 £ D
3. Retests where key safety systems are involved – vehicle returned after 5 working days and/or more than 500 registered miles from previous examination.	(a) £ 55.50 £ D	(b) £ 45.50 £ D	(c) £ 45.50 £ D	(d) £ 45.50 £ D	(e) £ 45.50 £ D
4. Retests where key safety systems are <u>not</u> involved – vehicle returned within 5 working days.	(a) £ 45.00 £ D	(b) £ 32.50 £ D	(c) £ 32.50 £ D	(d) £ 32.50 £ D	(e) £ 32.50 £ D
5. Retests where key safety systems are <u>not</u> involved – vehicle returned after 5 working days. > *	(a) £ 45.00 £ D	(b) £ 32.50 £ D	(c) £ 32.50 £ D	(d) £ 32.50 £ D	(e) £ 32.50 £ D

- # Where repair work cannot be undertaken within 5 working days due to unavailability of parts, providing that the 500 miles are not exceeded and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and a date when the work will commence, the re-test will be as prescribed in line 2.
- > Where repair work cannot be undertaken within 5 working days due to unavailability of parts, and the proprietor provides a copy of an order from a main agent specifying reasons for the delay and the date when the work will commence, the re-test will be as prescribed in line 2.
- \* Where repairs to bodywork/paintwork cannot be undertaken within 5 working days due to delays at a garage body/paint shop, and the proprietor provides a copy of an order from the agent specifying the reason for the delay and the date when the work will commence, the re-test will be as prescribed in line 2.

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Garage F