



Derby City Council

LICENSING COMMITTEE 22 September 2016

Report of the Strategic Director of Communities
and Place

ITEM 5

The Voluntary Individual Vehicle Approval Scheme (VIVA) for New Private Hire Vehicles

SUMMARY

- 1.1 The VIVA is a UK National Approval scheme for the testing of vehicles. It is a means of checking that vehicles meet technical requirements and are designed and constructed to modern and environmental standards. This includes the modified vehicles wishing to be licensed as private hire vehicles.

RECOMMENDATION

- 2.1 To approve the requirement for modified vehicles the subject of an application to be licensed as new private hire vehicles, to produce a VIVA to the council's Licensing Team prior to undergoing the standard test at the approved garage.

REASONS FOR RECOMMENDATION

- 3.1 To secure that modified vehicles are fit for purpose and safe to be licensed as new private hire vehicles.

SUPPORTING INFORMATION

- 4.1 Following complaints from the trade about the approach of licensing modified vehicles, specifically minibuses, work has been undertaken to review the current licensed minibus vehicles against the vehicle specifications for private hire vehicles.
- 4.2 This identified that a number of the currently licensed minibus vehicles had been modified in relation to the seat configuration, the repositioning of the seatbelt and the restriction of the access and egress points to the vehicle.
- 4.3 No approval for the modifications had been given by the Council as required by Condition 3 of the Private Hire Vehicle Conditions which states that "*No alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council*".

- 4.4 Whilst carrying out this work, new applications for the licensing of vehicles which have been modified have continued to be received. Neither the approved garages nor officers are able to state that the modifications to these vehicles are compliant with legislative requirements with regard to technical requirements, safety etc.
- 4.5 The Licensing Team therefore have investigated the most appropriate way in which the vehicles can be inspected and certified as fit for purpose and have contacted other local authorities to ascertain the approach taken by them. Four local taxi licensing authorities responded to our request, two of which also require any modified vehicle to undertake a VIVA test as part of the licensing process.
- 4.6 VIVA is a UK National Approval scheme operated by the Vehicle and Operator Services Agency (VOSA) for vehicles (<https://www.gov.uk/vehicle-approval/voluntary-approval>). It is a means of checking that all vehicles meet technical requirements and are designed and constructed to modern and environmental standards. This includes modified vehicles to be licensed as private hire vehicles.
- 4.7 In order to address the issues highlighted and ensure that any modifications to vehicles meet current legislative requirements and that the vehicle is safe and fit for purpose, an operational requirement is proposed that any modified vehicle being considered for licensing as a private hire vehicle must produce a VIVA prior to the standard test at an approved garage.

OTHER OPTIONS CONSIDERED

- 5.1 Take no action and maintain the status quo.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Olu Idowu n/a n/a n/a n/a Michael Kay
For more information contact: Background papers: List of appendices:	Sandra Mansell 01332 641931 sandra.mansell@derby.gov.uk DVSA Guide on the IVA Scheme Appendix 1 – Implications

IMPLICATIONS

Financial and Value for Money

- 1.1 None directly arising for the Council, the licence applicant would pay for any test to be undertaken.

Legal

- 2.1 Members will be aware that a consultation with the trade and public is currently being undertaken on a number of matters relating to taxi licensing which includes modifications to existing licensed private hire vehicles.
- 2.2 As the proposals set out in this report only relate to modified vehicles that are not currently licensed, there is no requirement to consult.

Personnel

- 3.1 None directly arising.

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- 4.1 None directly arising.

Equalities Impact

- 5.1 None directly arising.

Health and Safety

- 6.1 The measures set out will contribute to continued public safety.

Environmental Sustainability

- 7.1 None directly arising.

Property and Asset Management

- 8.1 None directly arising.

Risk Management and Safeguarding

9.1 The measures set out will contribute to continued public safety.

Corporate objectives and priorities for change

10.1 The proposals set out in this report address the corporate objectives of:

- protecting vulnerable children, young people, adults and older people
- promoting health and well-being

10.2 The proposals also meet the Council's core vision of being 'safe, strong and ambitious', and the aim to be a 'modern, flexible and resilient Council'.