

Report to: Licensing and Environmental
Regulation Committee

Date: 10th January 2012

Report of: Director – Environmental Services

Report No: LER/02/12

Contact Officer: Elizabeth Pritchard
Principal Officer

Tel No: 6583

Report Title: 'Spot checks' of Private Hire & Hackney Carriage Vehicles

Confidential:

This report does not contain information which warrants its consideration in the absence of the press or members of the public

Purpose:

To inform Members of the results of 'spot checks' of private hire & hackney carriage vehicles carried out by Licensing Enforcement Officers (LEO's).

Recommendations:

Members are asked to note the report

Background Doc(s):

Local Government (Miscellaneous Provisions) Act 1976
Vehicle test statistics appendix 1 (3.1)

Summary:

No summary

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1. Background

- 1.1 Members will be aware that all private hire & hackney carriage vehicles require a licence issued by the council.
- 1.2 A primary objective of the licensing system is to ensure that all licensed vehicles are, amongst other things, mechanically sound and 'safe'.
- 1.3 To this end licence conditions impose requirements on licence holders i.e. private hire operators, drivers and vehicle owners of hackney carriages and private hire vehicles.
- 1.4 Private hire operators are required to ensure that vehicles which work for their business are properly maintained.
- 1.5 Vehicle proprietors of both hackney carriage vehicles and private hire vehicles must also ensure that their vehicles are properly maintained.
- 1.6 Road traffic legislation, further, creates an offence where any person 'permits' another to drive any vehicle in contravention of a range of requirements which include vehicle safety or condition. This means that the proprietor of a licensed vehicle which does not satisfy the requirements of the Road Traffic Act may commit an offence even if the vehicle was being driven by someone else at the time i.e. a licensed hackney carriage/private hire driver who hired or rented the vehicle.
- 1.7 All drivers have a legal responsibility to ensure that any vehicle which they drive is roadworthy and may commit road traffic offences if it is not.

2. 'Spot checks'

- 2.1 Legislation recognises the importance of conducting checks to ensure that licensed vehicles meet the standards which the Council has adopted and section 68 of the Local Government (Miscellaneous Provisions) Act 1976 gives authorised officers of the Council the power to inspect and test any private hire vehicle or hackney carriage and to suspend the licence of any vehicle where the authorised officer is not satisfied as to its fitness.
- 2.2 Licensing Enforcement Officers (LEO's) carry out such checks continuously as part of their day to day work and, periodically, carry out intensive 'spot checks' across the fleet sometimes with the assistance of the Police, VOSA, qualified MOT testers and other agencies.

3. Recent 'Spot Check' results

- 3.1 Intensive 'spot checks' were conducted on the 7th and 8th October 2011. These were conducted in conjunction with officers from GMP Road Traffic Unit and Vehicle Examiners from the Council's garage. The detailed results are included in the table at appendix 1. The 'headline' statistics from the exercise are as follows:

7th October 2011

55 vehicles tested

25 vehicle licences suspended by LEO's

7 Licensing Enforcement 'non-compliance advice note' – minor defects

Percentage analysis:

9% - vehicle with major faults or would fail an MOT
33% - failed to maintain the vehicle (FTM)
4% - vehicles with minor faults

Please see the table at appendix 1 for a comprehensive breakdown – in the table if a vehicle is entered in more than one column, then it is only counted once in the more serious column for the purpose of the above analysis.

8th October 2011

37 vehicles tested

25 vehicle licences suspended by LEO's

3 licensing enforcement 'non-compliance advice note' – minor defects

Percentage analysis:

27% - vehicles with major faults or would fail an MOT
32% - failed to maintain the vehicle (FTM)
8% - vehicles with minor vehicle faults

Please see the table at appendix 1 for a comprehensive breakdown – in the table if a vehicle is entered in more than one column, then it is only counted once in the more serious column for the purpose of the above analysis.

4. Recommendation

4.1 Members are asked to note the report