

***LICENSING COMMITTEE
Regulatory Committee
Agenda***

Date Tuesday 6 November 2018

Time 9.30 am

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Sian Walter-Browne in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Sian Walter-Browne Tel. 0161 770 5151 or email sian.walter-browne@oldham.gov.uk
 3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Thursday, 1 November 2018.
 4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

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MEMBERSHIP OF THE LICENSING COMMITTEE IS AS FOLLOWS:
Councillors A. Alexander, M Bashforth, Briggs (Chair), Byrne, Cosgrove (Vice-Chair), Garry, C. Gloster, A Hussain, Malik, Moores, Price, Rehman and Shuttleworth

Item No

11 Vehicle Tests (Pages 1 - 4)



Oldham
Council



Report to LICENSING COMMITTEE

Service Providers for Licensed Vehicle Tests

Portfolio Holder:

Cllr A. Shah – Cabinet Member for Neighbourhoods

Officer Contact: Deputy Chief Executive – People & Place

Report Author: John Garforth – Trading Standards & Licensing Manager

Ext. 5026

6 November 2018

Reason for the Report

The reason for this report is to seek the approval of Members to procure the services of one or more providers to assist in the testing of licensed vehicles.

Recommendations

Members are asked to approve the use of outside providers in exceptional circumstances.

Service Providers for Licensed Vehicle Tests

1 Background

- 1.1 When licensing vehicles local policy dictates whether Councils require a standard MOT test or set their own standard via a compliance test which can then be used to tax vehicles.
- 1.2 Here in Oldham we use the compliance route and adopted a testing manual several years ago to ensure high standards of testing. Our tests are currently undertaken by vehicles examiners, who are qualified MOT testers, at the Councils testing station at Moorhey Street Depot.
- 1.3 We currently licence 85 hackney carriages and 1047 private hire vehicles which are tested annually upon licensing and mid-term, either once or twice, depending on age.

2 Current Position

- 2.1 Demand for testing slots is high. Unfortunately there are also drivers who miss their appointments. This coupled with a pressure on resources at the testing station has led to some recent challenges in finding sufficient test slots. More slots are therefore needed for mid-year tests and when we don't have the capacity this poses a problem to which there is no simple practical solution. The number of testing bays and available fitters are creating a restriction on available booking slots.
- 2.3 A cost effective way of supporting this pressure at this time is to procure the services of other MOT testing stations who can provide backup at critical times where we need additional testing slots. The proposal is based on a commission of services to undertake mid –year tests with priority being given to annual licensing tests continuing to be undertaken using the in house service.
- 2.4 Members are therefore asked to approve the use of other providers at Officer discretion when the need arises. They would also be trained and audited on their standards to ensure there is no drop in service.

3 Recommendations

- 3.1 Members are asked to approve the use of outside providers in exceptional circumstances.

4 Preferred Option

- 4.1 Officers request that Members approve the request,

5 Consultation

- 5.1 N/A

6 Financial Implications

- 6.1 Costs met within existing budget.

7 Legal Services Comments

- 7.1 Under section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976, the Council may attach such conditions to the grant of a hackney carriage vehicle licence as

the Council considers to be reasonably necessary. Under section 48(2) of the Act, the Council may attach such conditions to the grant of a private hire vehicle licence as they may consider reasonably necessary. Under section 50(1) of the Act the Council may require the proprietor of a hackney carriage or a private hire vehicle to present the vehicle for inspection and testing by or on behalf of the Council within such period and at such place within the area of the Council as they may by notice reasonably require. A vehicle can be tested up to 3 times a year under this section. Under section 70 of the Act, the Council may charge such fees for the grant of vehicle and operators licences as may be sufficient to cover in whole or in part the reasonable cost of the carrying out by or on behalf of the Council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed. Any person aggrieved by any conditions attached to a hackney carriage or private hire vehicle licence may appeal to the magistrates' court. (A Evans)

8. Co-operative Agenda

8.1 Not applicable

9 Human Resources Comments

9.1 Not applicable

10 Risk Assessments

10.1 Not applicable

11 IT Implications

11.1 None

12 Property Implications

12.1 None

13 Procurement Implications

13.1 A procurement exercise would need to be undertaken to select the appropriate provider(s).

14 Environmental and Health & Safety Implications

14.1 None

15 Equality, community cohesion and crime implications

15.1 None

16 Equality Impact Assessment Completed?

16.1 No

17 Key Decision

17.1 No

18 Key Decision Reference

18.1 N/A

19 **Background Papers**

19.1 None

20 **Appendices**

20.1 None