



# APSE National Transport Seminar

June 14<sup>th</sup> 2017

**TAXI TESTING**  
**(HACKNEY CARRIAGE AND PRIVATE HIRE)**

# Taxi Testing (Hackney Carriage & Private Hire)

Brendan McNamara, Transport Operations Manager

1. Wakefield's Evolution: Vehicle Compliance Testing.
2. Best practice in operating a test facility.
3. Future direction and likely changes.



# Wakefield's Evolution

## Taxis (HC) & Private Hire Vehicle

### Compliance Testing

# Taxi & PH Fleet Makeup

- Fleet Size (Number of Taxis) = 1600 approx.
- Number of Proprietors / Co = 83
- Average Tests Carried Out Per Year = 3477
  - Private Hire = 44%
  - Hackney Carriage = 31%
  - New Applicants = 25%

# The Heritage Trail

**117 Bulletins**  
**Each bulletin ranged from 2 to 20 pages**

Current Bullitains

File Edit View Favorites Tools Help

Back Forward Stop Search Folders

Address G:\Technical\Workshop Operations\MOT & Taxi Testing\taxis\WMDC Taxi Licencing Bullitains\Current Bullitains

File and Folder Tasks

- Make a new folder
- Publish this folder to the Web

Other Places

- WMDC Taxi Licencing Bullitains
- My Documents
- My Computer on WMDC-B9C8E59BA4
- My Network Places

Details

95 objects 3.25 MB Local intranet

start

Review of Testng Sta... Members Presentaion... Current Bullitains Microsoft PowerPoint ... Inbox - Microsoft Out...

09:44

Waverfield Council  
working for you

# What the Tester saw...



# What the Tester saw...



# What the Tester saw...

Accident Damage Chassis  
Cracked





# A testing point of view...



**Suspension Top  
Mounting Completely  
Missing**

# New Applicants



# A Step Backwards

An executive agency of the  
Department for  
**Transport**

## About this document

- 1 This document is a certificate telling you that an MOT Test pass result has been recorded on The Vehicle & Operator Services Agency's (VOSA's) database of MOT Test results. If you have any doubt about the validity of this document, please confirm its validity as described below under 'Crime Prevention'. Keep this certificate as it may be required in certain circumstances.
- 2 Normally the details of this certificate are machine printed. If they are hand written you may arrange

## About the MOT Test

An MOT Test pass confirms that your vehicle meets the minimum standards set out in the Road Traffic Act 1988 and the Road Traffic (Consequential Provisions) Act 1998. It does not mean that your vehicle is roadworthy for the next 12 months. It would always meet MOT

always

with Section 45 of the Road Traffic Act 1988, which prescribes under what circumstances a vehicle that it will continue to be maintained so that it

To view the vehicle's available MOT History (including mileage at the time of the test) visit our website at [www.motinfo.gov.uk](http://www.motinfo.gov.uk). Alternatively you can have a written history posted to you by calling the MOT History Check Service on **0906 1209941**.\*\* Calls cost £1.50 per minute from a BT landline; calls from mobiles and other networks may vary. To check the MOT History you will need the registration mark of the vehicle and either the test number from the MOT test certificate or the document reference number from the V5C Registration Certificate. Lines are open from 6am to 10pm 7 days a week.

\*Calls are charged at the national rate. \*\* Calls are charged at premium rate.  
Your call may be monitored or recorded for lawful purposes.

[www.motinfo.gov.uk](http://www.motinfo.gov.uk)

To check MOT Status call 0870 33 00 444\*

To check MOT History call 0906 1209941\*\*

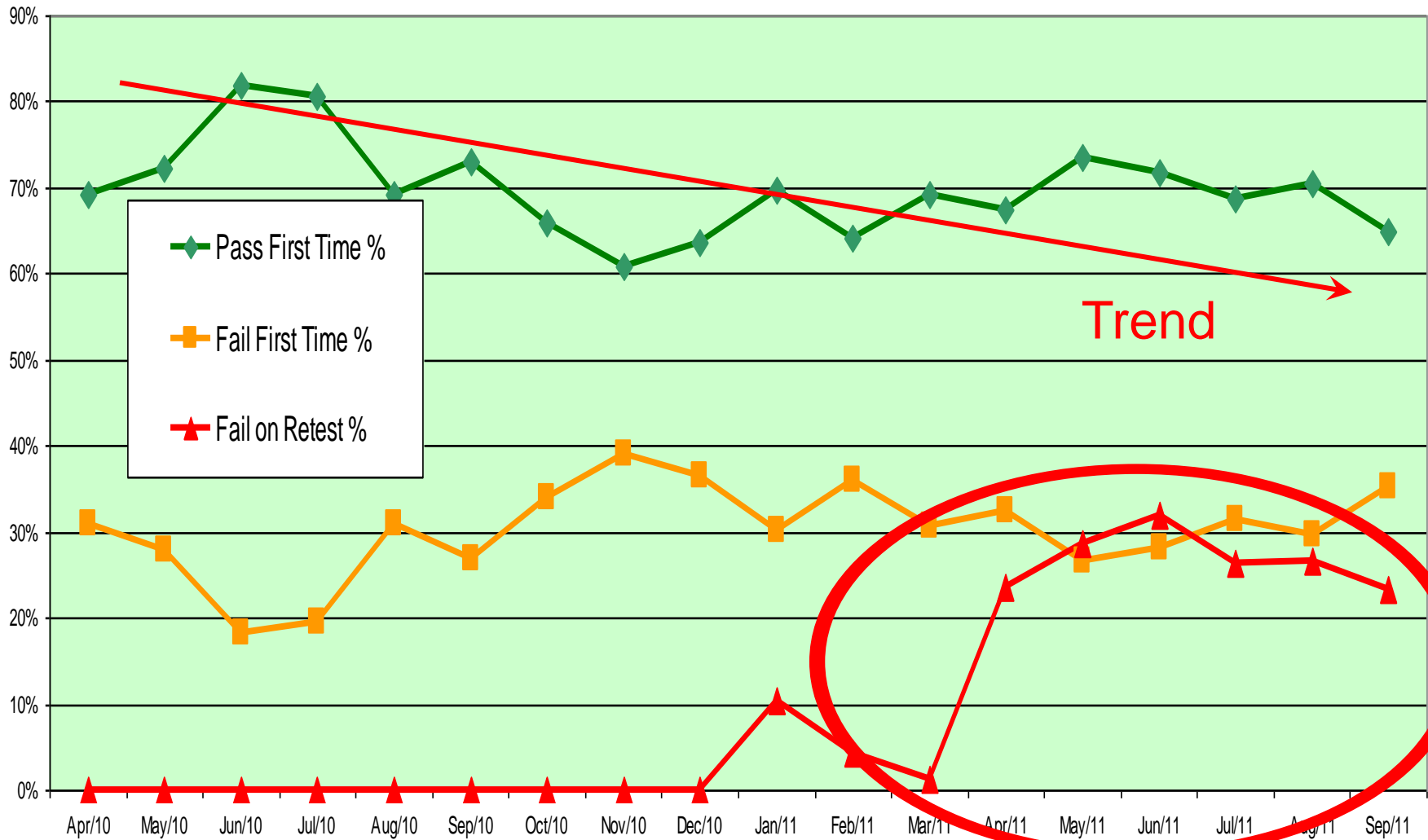
With this MOT certificate you can now tax your vehicle on-line at:

[www.direct.gov.uk/taxdisc](http://www.direct.gov.uk/taxdisc)

or over the phone call 0870 850 4444\*



# Compliance Rates - History





# SETTING A STANDARD

# NATIONAL BEST PRACTICE GUIDE FOR

Hackney Carriage and Private Hire Vehicles  
National inspection standards



Hack

Vehicle



## Best Practice Guide August 2012



Produced by Hackney Carriage and Private Hire Inspection Technical Officer Group  
Public Authority Transport Network (PATN)

Supported by



Delivering safe, efficient, sustainable logistics



HT TRANSPORT ASSOCIATION

Public Authority Transport

# Why do we have a compliance test?

## 1976 Misc Provisions Act Empowered Councils

- Test upto 3 times a year
- A reflection of their commercial operation
- High mileage
- Arduous use, in comparison to a privately operated vehicle.

## Compared with...other Commercial Operations - LGV or PCV's

- Vehicle Operator Licensing
- Area Traffic Commissionaires
- DVSA enforcement & audits
- Safety inspections - as frequent as every 4 weeks.

**In comparison a 6 monthly compliance test is not un-reasonable**

# Legislation Governing Compliance Testing

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976: PART II

### Sec 47 - Licensing of **Hackney Carriages** (Taxis')

- (1) A district council may attach to the grant of a license of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary.



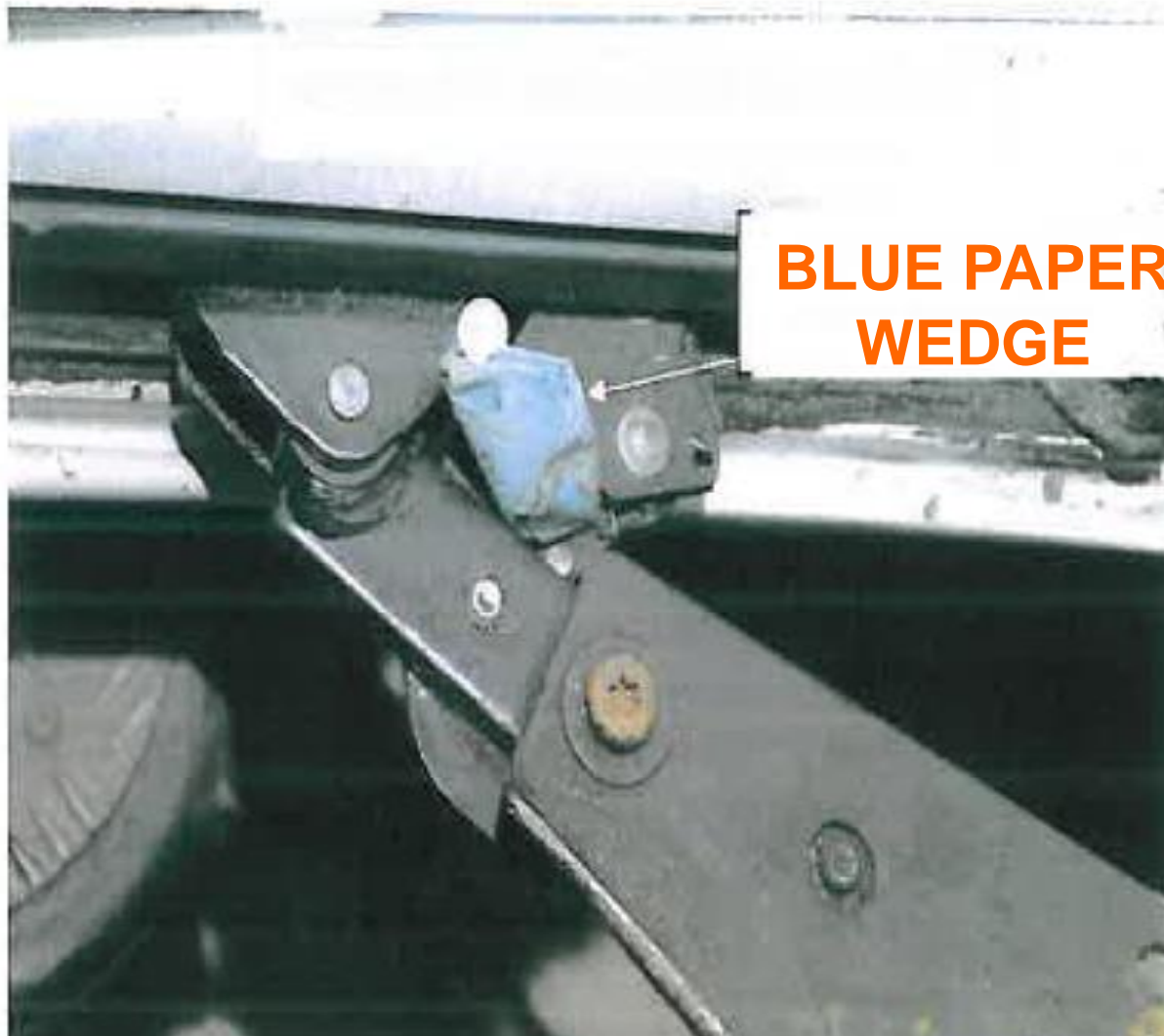
# Legislation & Compliance Testing?

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976: PART II

### Sec 48. Licensing of **Private Hire** Vehicles

- (1) Subject to the provisions of this Part of this Act, a district council may ... not grant such a licence unless they are satisfied:
- (a) That the vehicle is:
    - (i) Suitable in type, **size and design** for use as a private hire vehicle;
    - (iii) In a **suitable mechanical condition**;
    - (iv) **Safe**; and
    - (v) **Comfortable**

“But it just passed its MOT!”



**BLUE PAPER  
WEDGE**

**Dangerous  
Adaptations**

# Right of Appeal

## LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976: PART II

### Sec 47 - Licensing of **Hackney Carriages** (Taxis')

(3) Any person aggrieved by any conditions attached to such a license may appeal to a **magistrates' court.**

Sec 48. Licensing of **Private Hire Vehicles**  
the same right of appeal applies

# New Compliance Document

**1<sup>st</sup> February 2013**

## **HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE COMPLIANCE TESTING STANDARDS**

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[www.wakefield.gov.uk](http://www.wakefield.gov.uk)

**wakefield**council  
working for you

# Consultation

**Wednesday 25 July 2012**

Coun Graham Stokes said: “We remain open and willing to work with the taxi and private hire community but we cannot and will not compromise the safety of the public when they use taxis.”

Coun Maureen Cummings said: “If a vehicle isn’t fit to be on the road, it shouldn’t be on the road.”



# New Compliance Document

## Aims

- Open & Transparent Testing Criteria.
- Aligned to DVSA standards.
- Improve roadworthiness standards.
- Improve Safety of the
  - Public, Drivers & their Families.
- Educate & Inform
  - Drivers, Mechanics & Testers
- Wakefield's Image - Tourism

# Clear & Transparent Test Criteria

## 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"><li>a. Fractures in steering wheel hub.</li><li>b. Fractures in steering wheel rim.</li><li>c. Steering wheel spokes loose or fractured.</li><li>d. Jagged edges on steering wheel rim.</li><li>e. If possible, check the retaining device on steering wheel is fitted.</li></ul>	<ul style="list-style-type: none"><li>a. Steering wheel hub fractured.</li><li>b. Steering wheel rim fractured.</li><li>c. A steering wheel spoke loose or fractured.</li><li>d. Jagged edges on steering wheel rim likely to injure the driver.</li><li>e. A steering wheel hub-retaining device not fitted.</li></ul>

# Key Criteria Established

- In line with the latest version of the national standards
- Accessibility Standard - Clear with minimum measurements in many areas
- 5 years Grandfather Rights on 31 areas for the existing fleet.
- Introduced a free retest scheme
- Requirement for DVSA IVA standard



# Why IVA?

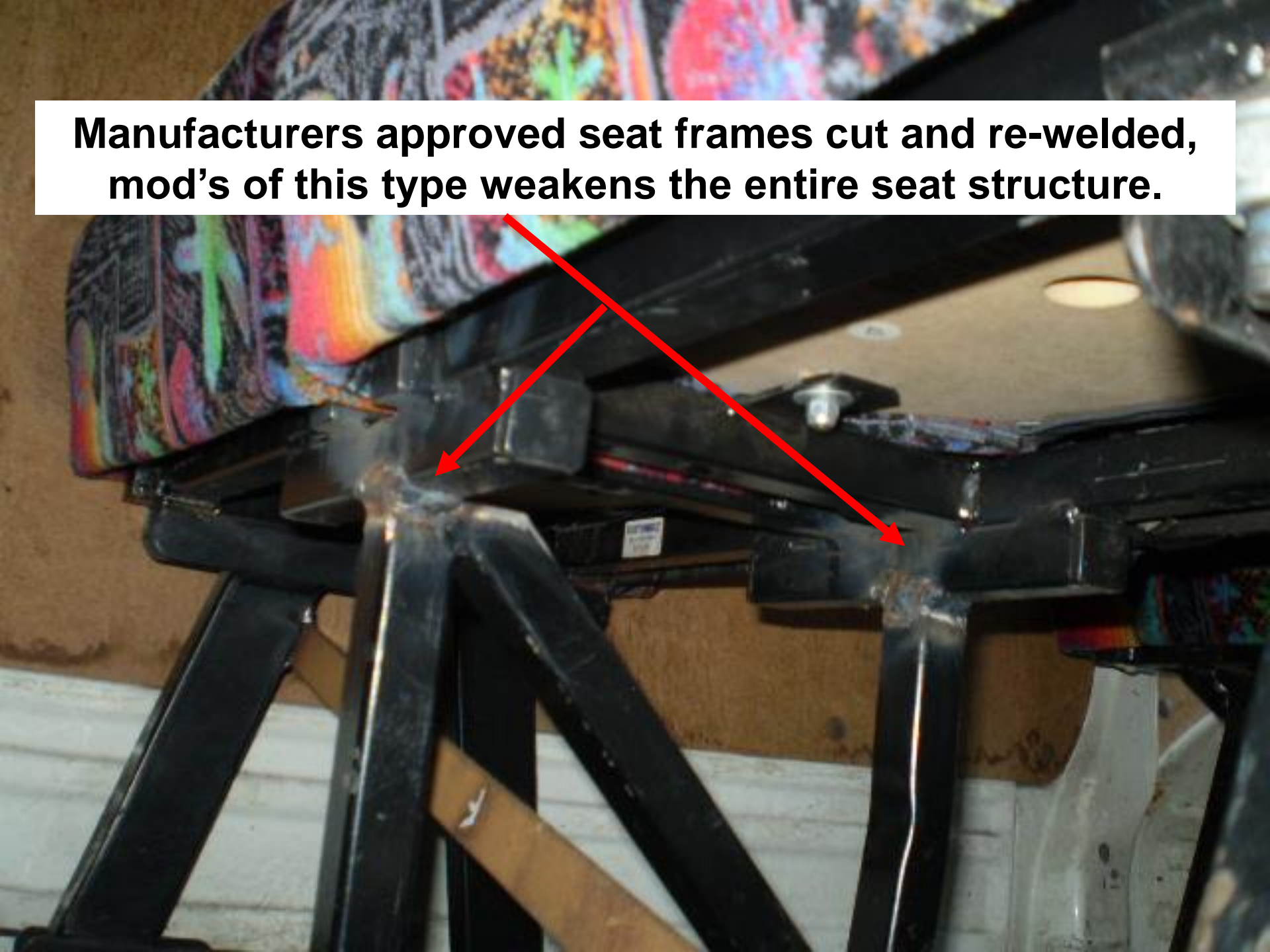
- IVA process had been aligned with C&U and EC Directives
- Ensured that testers could trust when passing a vehicle's seat / seat belts structure etc. that it is still met:
  - manufacturers original design characteristics
  - or at least an approved testing scheme (DVSA IVA).
- Remove Unreasonable Expectation on Testers.
- Needed to move away from amateur modifications to:
  - Seats
  - Seat belts
  - Floor mounting structures



**Seat mountings on spacers designed for a completely different floor structure.**

**Bending under weight of passengers in normal use.**

**Manufacturers approved seat frames cut and re-welded, mod's of this type weakens the entire seat structure.**



**Arbitrary modification of manufactures  
approved, seat frames.**

**Welding of untested extra metal flat bar.**



# THE TESTER

# Tester Competence



Taking MOT annual training and assessments

## The process each year

1



Decide how to train

2



Do at least 3 hours

3



Keep training records

4



Book annual assessment

5



Take annual assessment

6



Record result

# Compliance Tester Training

- Why do we have the compliance test?
- Legislation & Industry Guidance
- Aims of the standards
- The IVA
- Council Core Values and Standards
- How to protect yourself?
- A Professional Approach
- Customer Care & Use of Product
- Community & Cultural Awareness
- The Market
- Greater Financial Protection
- Retail Scheme
- Past Experience
- Record Keeping
- “The Test” - How to apply the new standard
- Opportunity to clarify

**CPD**

# Tester Protect thy self...

- The **Bribery Act 2010** came into force in July 2011
- Oldham Council secured a successful prosecution.
- Crown Court Jury convicted a potential PH driver of the offence
- Court told the Licensing Officer to provide evidence
- Offered £2000 to the Licensing Officer
- Officer refused
- Greater Manchester Council
- Man charged under the Bribery Act 2010.
  - Sentenced to two months imprisonment (suspended)
  - A two month curfew order between 6pm and 6am was also imposed.
- Councillors congratulated the officer involved

**Message to Testers.  
Report any issues no  
matter how small!**



# THE TEST



# How to apply the standard

- Fairness
- Reasonable – with a capital “R”
- Be consistent
- Common sense
- Do not interpret – apply the rules
  - Reason for Rejection
  - If its not in the standard it does not count
  - Raise concerns with the QC or line manager
  - Live document - revisions will take place
- Be sure of your diagnosis – not; just in case
- If in doubt ask!

# Assessing Accident Damage



**Significant Accident Repairs – Optiflex reports and rejection.**

**The two officer approach 6.1 pg 20**

# Grandfather Rights

- Only eligible for existing fleet
- Up to 5 years from 1<sup>st</sup> Feb 2013
- Expire after the specified period
- Could not be awarded to vehicles that contravene any form of legislation i.e. DVSA MOT, LOLER Regulations.
- Are transferable to a new owner – but limited life.
  - Over 30 GFR areas...

# Grandfather Rights

- Approved by Legal Services
- Risk Management Process
- Not awarded where by doing so would create an **immediate or significant risk to passenger or road user safety**, irrespective of whether the vehicle had passed previous compliance tests.
- **The Council strongly recommended in writing that vehicle proprietors improve or replace their vehicle as soon as possible.**

# THE RESULTS



# Compliance Rates & Trends

Test Result by Year	% Passed 1st Time	
<b>2012/13</b>		
Passed Full Test	69.9%	<b>New Standard Introduced 01/02/13</b>
<b>2013/14</b>		
Passed Full Test	66.7%	
<b>2014/15</b>		
Passed Full Test	65.9%	
<b>2015/16</b>		
Passed Full Test	71.8%	<b>Free Retest from 01/10/15</b>
<b>2016/17</b>		
Passed Full Test	63.2%	

# Age Policy?

	Failed First Time		
Age Group	Percentage	Taxis	Average Age
0 to 5 years	19.14%	480	3.93
5 to 7 years	26.63%	886	6.03
7 to 9 years	36.92%	944	8.00
9 to 11 years	43.79%	620	9.91
11 to 13 years	51.32%	370	11.86
13 years & Over	56.57%	112	13.95
<b>Grand Total</b>	<b>31.81%</b>	<b>3412</b>	

Taxi Test Data April 2012 to Oct 2016



# The Challenge Continues

RANKED	Failure Defect / Item	2016/17 Failure Reason by Defect Type (%)	2016/17 Failure Reason by Defect Type (Number)	Criteria	
1st	Lights	15%	107	Mechanical	60%
2nd	<b>Brakes</b>	13%	92	Mechanical	
3rd	<b>Tyres</b>	12%	83	Mechanical	
4th	Leaks	11%	82	Mechanical	
5th	<b>Suspension</b>	9%	67	Mechanical	
6th	<b>Steering</b>	8%	60	Mechanical	25%
7th	Fire Extinguisher	6%	44	Council Standard	
8th	Bodywork / Paintwork	6%	40	Mechanical	
9th	First Aid Kit	3%	19	Council Standard	
10th	<b>Seatbelt</b>	2%	17	Mechanical	

# Is this compliance?





# THE WAY AHEAD

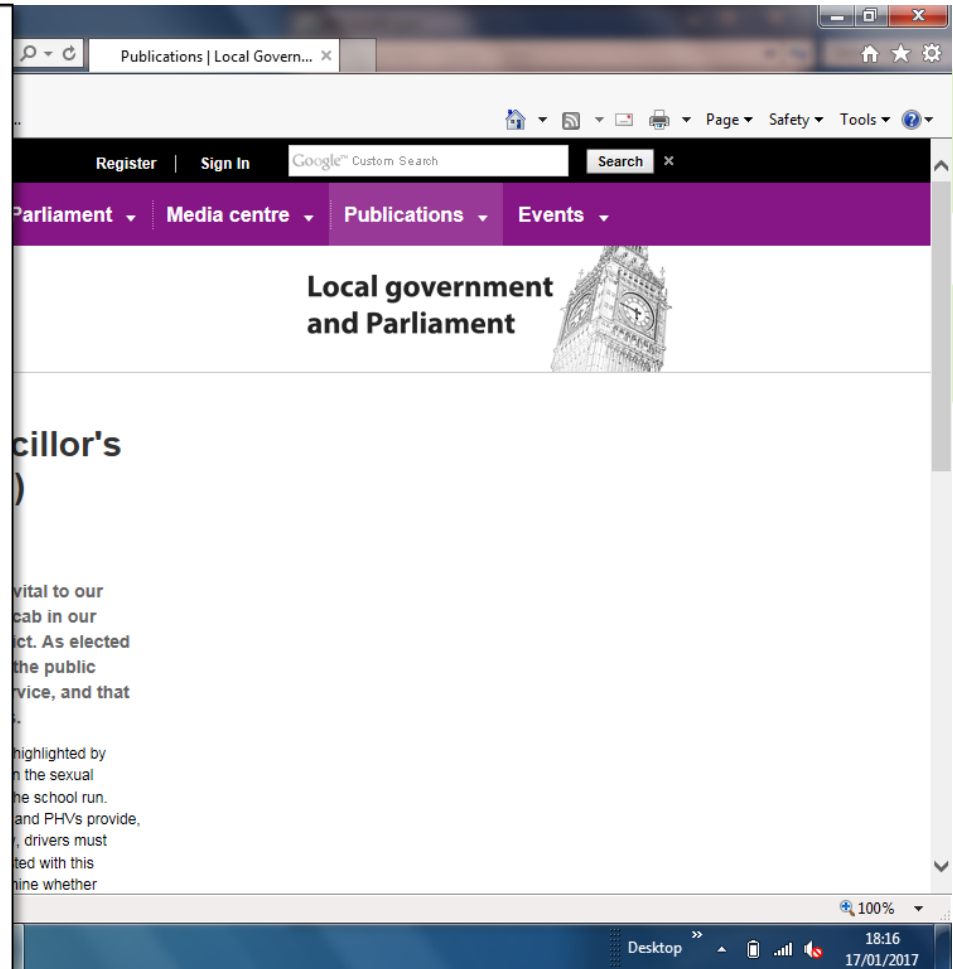
# Taxi & PHV Licensing Councillors' Handbook (England and Wales)



## Taxi and PHV licensing

Councillors' handbook  
(England and Wales)

Revised December 2016



# Taxi & PHV Licensing Councillors' Handbook (England and Wales)

## Foreword

- Unfortunately, the existing licensing system is outdated and needs urgent reform.
- Legislation dating from 1847, predating earliest motor vehicles, let alone online & mobile booking apps.
- The LGA is lobbying for a Taxi and PHV Licensing Reform Bill to modernise the governance system
- Until then, it is incumbent on us to do the best we can with the tools at our disposal.

# Checklist for Councillors

## (England and Wales)

This list is intended to help you gauge your council's effectiveness.

- Are the needs and safety of passengers placed at the centre of your licensing system?
- Are drivers assessed against agreed and appropriate standards to ensure they are 'fit and proper' and entitled to hold a licence? Many councils require applicants to undertake
- Are your drivers provided with training on disability equality, spotting child sexual exploitation and other locally relevant issues?
- Does your council have a taxi and PHV licensing policy document, which has been subject to regular review and has regard to the **Department for Transport's Best Practice Guidance (last issued March 2010)** and has been consulted on with the trade and user groups?

# Checklist for Councillors

## (England and Wales)

- Does your council have effective consultation methods with taxi and PHV representatives and taxi users?
- Are vehicles subject to agreed and routine **stringent testing** to ensure they are mechanically safe and suitable to transport the public?
- Are your licensing fees and charges sufficient to provide the resources for an efficient licensing service but which does not create a surplus? If there is a surplus, is this returned through a reduction in future fees?
- Does your council license stretched limousines under eight passenger seats? Many vehicles are operating unlicensed and unchecked as some councils refuse to license such vehicles.

# Checklist for Councillors

(England and Wales)

- Do your taxi licensing officers have a regular dialogue with neighboring councils, with a view to adopting consistent standards, developing a common approach and to share relevant information?
- Do you have sufficient information and understanding to challenge or defend your council's taxi and PHV licensing activity in the context of an overview and scrutiny committee?
- Does your council have a multi-agency enforcement programme with the police, DVSA and neighboring councils?
- Does your council have adequate numbers of accessible taxis – to ensure people who are vulnerable in society such as disabled users can utilise the service?



# Multi Agency Enforcement



Airedale  
Castleford  
Oct 2016

- 30 vehicles stopped
- 3 vehicles seized for no insurance
- 2 section 59 warnings issued for driving in an antisocial manner
- 9 traffic offences – document & vehicle defects
- DVSA examined 21 vehicles, 4 immediate prohibitions, 3 delayed & 7 advisory inspection notices
- Taxi Licensing Officers issued 3 notices to Taxi drivers for faulty or non compliant vehicles
- 2 males arrested for non-payment of fines / warrants

# On the Horizon

- **Clean Air Zones**
- **ULV Funding targeted at Taxis**
- **Hybrid & Electric Vehicle Testing**
- **Handout - Key Doc's & Web Links**

# Where to find us?

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01924 306525

Our Vehicle Standards Document can be found at:

[www.wakefield.gov.uk/business/licensing-and-trading/taxis/vehicle-and-operator-licences](http://www.wakefield.gov.uk/business/licensing-and-trading/taxis/vehicle-and-operator-licences)



# APSE National Transport Seminar

**TAXI TESTING  
(HACKNEY CARRIAGE AND PRIVATE HIRE)**

# Questions?

## Hackney Carriage (Taxi) & Private Hire Vehicle Testing

The following is a list of key reference documents with regard to compliance testing; starting with legislation leading to the Local Government Regulator's Guidance for Councillors, the Department for Transport and other nationally agreed best practice.

1. Local Government (Miscellaneous Provisions) Act 1976  
[http://www.legislation.gov.uk/ukpga/1976/57/pdfs/ukpga\\_19760057\\_en.pdf](http://www.legislation.gov.uk/ukpga/1976/57/pdfs/ukpga_19760057_en.pdf)
2. Taxi and private hire vehicle licensing in England & Wales House of Commons BRIEFING PAPER SN02005, 10 August 2016  
<http://researchbriefings.files.parliament.uk/documents/SN02005/SN02005.pdf>
3. Local Government Regulator Taxi and PHV licensing Councillors' handbook (England and Wales) Revised December 2016  
[http://www.local.gov.uk/publications/-/journal\\_content/56/10180/8118701?\\_56\\_INSTANCE\\_0000\\_templateId=PUBLICATION](http://www.local.gov.uk/publications/-/journal_content/56/10180/8118701?_56_INSTANCE_0000_templateId=PUBLICATION)
4. TAXI AND PRIVATE HIRE VEHICLE LICENSING: BEST PRACTICE GUIDANCE March 2010  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/212554/taxi-private-hire-licensing-guide.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf)
5. Public Authority Transport Network (PATN) National Standards (FTA)  
[http://www.fta.co.uk/export/sites/fta/\\_galleries/downloads/vehicle\\_testing/Hackney\\_Carriage\\_document\\_0812.pdf](http://www.fta.co.uk/export/sites/fta/_galleries/downloads/vehicle_testing/Hackney_Carriage_document_0812.pdf)
6. Example Local Testing Compliance Standards (Wakefield Council)  
<http://www.wakefield.gov.uk/business/licensing-and-trading/taxis/vehicle-and-operator-licences>  
<http://www.wakefield.gov.uk/Documents/licensing/taxis/vehicle/private-hire-vehicle-compliance-testing-standards.pdf>

Contact

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