

TEWKESBURY BOROUGH COUNCIL

Report to:	Licensing Committee
Date of Meeting:	25 July 2024
Subject:	Amendment to Vehicle Testing Requirements Within Tewkesbury Borough Council's Taxi and Private Hire Licensing Policy
Report of:	Licensing Team Leader
Head of Service/Director:	Director: Communities
Lead Member:	Lead Member for Environmental Services
Number of Appendices:	None

Executive Summary:

To consider an amendment to the current vehicle testing requirements for taxi and private hire vehicles.

Recommendation:

To AGREE an extension of the implementation of Council vehicle testing to 1 April 2025 to allow for the work required.

Financial Implications:

None arising directly from this report.

Legal Implications:

There is a statutory annual requirement in the UK for all motor vehicles over the age of three years old to undertake a Ministry of Transport (MOT) annual test.

The Council should only licence vehicles that are safe, comfortable and suitable for use of the carriage of passengers. Further specifications into the criteria for vehicles and any testing should be specified in the Council's licensing policy.

Environmental and Sustainability Implications:

None arising directly from this report.

Resource Implications (including impact on equalities):

None arising directly from this report.

Safeguarding Implications:

None arising directly from this report.

Impact on the Customer:

None arising directly from this report.

1.0 INTRODUCTION

1.1 Tewkesbury Borough Council's Taxi and Private Hire Licensing Policy was last reviewed and adopted on 1 January 2024. This review introduced a range of measures including an emissions policy, vehicle testing by appointed garages and tighter operator requirements.

1.2 Historically, vehicle testing would require vehicles over 5,000 miles to obtain a MOT certificate every year. Once a vehicle reached six years of age, this would increase to six monthly testing.

1.3 The policy review amended this requirement to:

'All new vehicle applications (for vehicles over 12 months from date of first registration) must be accompanied by a satisfactory MOT certificate that is no more than 1 month old.

All renewal applications must be accompanied by a satisfactory MOT certificate.

Licensing Officers retain the right to request that any advisories or minor defects on an MOT are rectified prior to licensing if there is a potential risk to public safety (for example tyre close to legal limit). Proof of payment (showing the vehicle registration number and works carried out) or a MOT retest certificate will be required as proof that the work has been carried out.

From 01.06.24, a taxi or private hire vehicle is required to have at least 1 Council Vehicle Test a year. Vehicles aged 5 years and over are required to have a Council Vehicle Test every 6 months.

A list of authorised garages that can complete this test is available at www.tewkesbury-taxi-and-private-hire.gov.uk

The vehicle test certificate must be submitted with the application for the vehicle licence and must be no more than 1 month old. This timescale is for all new and renewal vehicle applications.

Any vehicles that fail the Council Vehicle Test will be suspended until they have received a pass. Licence holders are liable for all costs involved.

A Licensing Officer can request a Council Vehicle Test at any time to satisfy themselves that the vehicle is safe and suitable for the use of carrying passengers'.

1.4 The Department for Transport (DfT) states that 'licensing authorities must only licence vehicles that are safe. It is therefore appropriate and proportionate that authorities require vehicles to pass rigorous safety checks' and 'the legal requirement is that private hire vehicles which are at least three years old, and all taxis, must be subject to an MOT test or its equivalent at least once a year. Local authorities may obtain a designation from the Secretary of State for Transport to issue 'Certificates of Compliance'. The requirements of the test normally include those in an MOT test but may also include another inspection by a licensing officer to ensure the vehicle meets the relevant local requirements for issuing a taxi or private hire vehicle licence e.g. cleanliness of the vehicle inside and outside, correct plates displayed etc'.

2.0 EXISTING CIRCUMSTANCES

2.1 Members are asked to permit an extension to the 1 June 2024 policy date and extend this to 1 April 2025. If this work can be delivered prior to this, it will be.

2.2 It is proposed to revert back to the previous MOT testing requirements in the meantime.

3.0 CONSULTATION

3.1 None.

4.0 ASSOCIATED RISKS

4.1 The Council should be committed to ensuring that all statutory requirements and best practice guidance is in place to ensure the promotion of public safety.

5.0 MONITORING

5.1 The Licensing team will send correspondence to all licence holders to update them on the delay and interim requirements.

6.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES

6.1 [Tewkesbury Borough Council Plan](#)

Background Papers: [DfT Best Practice Guidance for Taxi and Private Hire Licensing November 2023](#)

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Appendices: None