

Committee: Licensing and Environmental Health Committee
Title: Licensed vehicle compliance testing stations
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Summary

All licensed vehicles undergo compliance checks. This report is to inform members on the current testing approach adopted by Uttlesford District Council. This report is for members to note that Officers are acting to ensure that the vehicle testing regime remains sufficiently robust to ensure public safety.

Recommendations

That members note the contents of this report

Financial Implications

None.

Background Papers

1. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
 - a. Application form to current approved garages.
 - b. Guidance given to compliance testing stations.
 - c. Current vehicle compliance test sheet.
 - d. Categorisation of vehicle defects.
<https://www.gov.uk/government/publications/categorisation-of-defects>

Impact

Communication/Consultation	If new changes were introduced then these would be passed onto compliance testing stations.
Community Safety	The current testing stations are outdated and do not meet the necessary safety standards expected of licensed vehicles.
Equalities	None.
Health and Safety	None.

Human Rights/Legal Implications	The current compliance safety standards carried out during the tests do not meet basic MOT standards.
Sustainability	None.
Ward-specific impacts	All.
Workforce/Workplace	None.

Situation

1. Uttlesford District Council currently requires all licensed private hire and hackney carriage vehicles to undergo compliance tests. These are completed before a vehicle is licensed, once a year for vehicles under five years old and twice a year for vehicles over five years old. These checks are made in addition to the standard MOT.
2. The purpose of the compliance test is that it ensures that licensed vehicles are maintained at a mechanically higher standard than normal vehicles which are subject to an MOT once a year.
3. There are a large amount of older vehicles that are licensed by the Council. These older vehicles may encounter more mechanical issues due to their age and the amount of miles they have driven.
4. The Council currently uses nine approved garages to do the compliance tests and they are:
 - JPS Motors, Saffron Walden
 - Shire Hill Garage, Saffron Walden
 - Station Road Garage, Great Dunmow
 - Taylors Service Centre, Great Dunmow
 - Muirs Garage, Little Canfield
 - Bridgeworks, Little Hallingbury
 - Takeley Performance Tyres, Takeley
 - T and R Autos, Takeley
 - Brooklands Garage, Wimbish
5. Under current MOT regulations there are different category MOT's for different vehicle classes, namely; 1, 2, 3, 4, 4a, 5, 5a and 7. For private hire vehicles and taxis they should undertake a class 4 MOT. All of the approved garages maintain an inspection lane for Class 4 MOTs.

6. Some of these garages became approved testing stations for the Council a number of years ago. To be classed as an approved testing station garages were only required to complete and submit an application form. This application process has not been updated for a considerable period of time.
7. When the garages were approved by the Councils they were initially visited by members of the licensing team, however, no routine compliance checks have been made to ensure that good inspection practices are being maintained.
8. The garages were issued with guidelines for various mechanical issues when they became an approved garage (please see attached). When followed, these guidelines confirm whether the vehicle should pass or fail the test. Summary test sheets are emailed to the licensing department for processing.
9. It is acknowledged that the guidelines have not changed for over 10 years. During this period vehicles and safety standards have changed dramatically, as has the Council licensing policy.
10. MOT standards were changed on 20 May 2018 and included stricter rules for car emissions. In addition, vehicles with defects are now categorised by an MOT as either dangerous, major or minor.
11. Recently Officers have identified cases where vehicles have failed an MOT but passed a Council compliance test at the same time. Officers have been advised by approved garages that the Council's standards are now lower than the basic MOT. There is therefore a clear public safety issue that needs to be addressed to ensure standards remain high and to keep public confidence in the licensing regime.
12. There is a document published by the Driver and Vehicle Standards Agency (DVSA) that set out the standards for all vehicles called the 'Categorisation of vehicle defects.' It was last updated on 23 November 2018, and recent recommendations are that Officers use this as a platform for outlining vehicle inspection requirements.
13. The Council has no current written contracts in place outlining basic conditions for the garages to comply with in order to remain an approved garage. Although Officers are not suggesting inappropriate behaviour by the garages there are no checks made on garages to ensure vehicle inspections are done correctly. There is also no clear policy defining action the Council would take if inappropriate behaviour was evidenced.
14. The Council currently does not have a list of all the vehicle testers at each garage and therefore cannot determine if the MOT testers are class 4 qualified. Following enquiries made with the DVSA, all MOT testers should be able to provide their qualifications should we request them. The DVSA have also advised that all MOT inspectors get refresher training each year but equally this is not provided to the Council. A vulnerability potentially exists that would allow unqualified tester to be inspecting licensed vehicles.

15. Officers are of the opinion that there are a number of potential risks in the way that the current vehicle compliance check system is implemented. This could potentially undermine public safety in the way that the current vehicle compliance check system is done.
16. Officers are therefore proposing to identify and implement necessary improvements and report back to Members.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Mechanically unsafe private hire and hackney carriage vehicles are passed as fit and proper even though they may not be safe.	4 – The potential for changes to be made will minimise the likelihood of unsafe vehicles being licensed to drive.	Members approve Officers request to investigate making the necessary changes to the Council compliance tests.	Members see that there is a pressing need for this action to be taken.

- 1 = Little or no risk or impact
 2 = Some risk or impact – action may be necessary.
 3 = Significant risk or impact – action required
 4 = Near certainty of risk occurring, catastrophic effect or failure of project.