

LICENSING REGULATORY COMMITTEE

Multi Agency Vehicle Inspection Operation 4th September 2014

Report of Licensing Manager

PURPOSE OF REPORT

To inform Members of the outcomes of recent multi agency vehicle inspection operation.

The report is public

RECOMMENDATIONS

The Committee is requested to note the report.

1.0 Introduction

- 1.1 Members may be aware that on the 12th and 13th August licensing officers carried out a multi-agency vehicle inspection operation with officers from the Lancashire Constabulary, Officers from the Vehicle and Operator Services Agency (VOSA) and Officers from HMRC.
- 1.2 The inspections took place within a unit at the Middlegate Industrial Estate in Morecambe which was loaned to the Lancashire Constabulary at no cost to the Council. All hackney carriage and private hire vehicles were requested to attend in accordance with s68 of the Local Government (Miscellaneous Provisions) Act 1976 which prescribes that:-

Any authorised officer of the council in question or any constable shall have power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any hackney carriage or private hire vehicle licensed by a district council.
- 1.3 Members may be aware that the recent High Court case of R v Lancaster City Council ex parte Wilcock determined that fitness of a vehicle for the purpose of s68 has a very broad meaning and incorporates such things as signage and cleanliness. It does not confine itself to mechanical fitness as was challenged during that case.
- 1.4 Also present were officers of the Lancashire Constabulary Road Policing Unit who carried out inspections on private vehicles whilst licensing officers inspected licensed vehicles. An officer from VOSA assisted both the police and licensing offices when required. HMRC officers were present and they carried out fuel checks.
- 1.5 During the 2 days, 265 licensed vehicles were inspected. The inspections were carried out with the minimum of waiting for drivers due to the hard work of officers present on the day.
- 1.6 Of the 265 licensed vehicles inspected, only 1 vehicle was suspended with immediate effect. This was a private hire which was not displaying a front plate. However 108 vehicles had minor issues and were either given advice or given defect

notices. The issues ranged from missing signage e.g. smoking signage, to bulbs being defective and tatty body work. Most people went away and corrected the issue immediately and came back and had the matter cleared. Some matters involving bodywork will obviously take longer to correct and defect notices were issued accordingly.

- 1.7 HMRC carried out checks on the 12th August on the fuel in 54 licensed vehicle tanks and found that all were legal. Officers from HMRC commented on the high standards of our vehicles and on the level of amicability and cooperation of most of the drivers. Unfortunately, HMRC were unable to attend on the 13th August as they were called away to Heysham Port.
- 1.8 In officers' opinion the exercise was very successful and advice was received well by those attending. Some of the attendees were new proprietors who said they were unsure of what was required of them before attending and were grateful for the clarification. Vehicle inspections were carried out promptly usually taking approximately 5 minutes per vehicle and most proprietors appeared to be happy with that.
- 1.9 Those proprietors who contacted the office prior to the inspections to say that they could not attend on the required dates for various reasons were told that alternative arrangements would be made to inspect their vehicles.

2.0 Conclusion

- 2.1 It is the responsibility of the licensing authority to ensure that all vehicles licensed by us are safe and comfortable. Inspections such as this are carried out throughout the country by all licensing authorities and help to give confidence to members of the public in relation to the safety of the taxis they travel in. Those proprietors who maintain their vehicles to a high standard usually welcome exercises such as this, and the figures set out in the report in relation to faults and defects would indicate that the exercise was a resounding success.
- 2.2 Members are recommended to note the report and in doing so the licensing manager would request that Members acknowledge the hard work of the enforcement officers throughout the 2 days.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Inspecting vehicles to ensure that high standards are maintained is in the interests of public safety.

FINANCIAL IMPLICATIONS

There are no financial implications, as the inspections were carried out by officers in the course of their normal duties.

LEGAL IMPLICATIONS

The Council are under a duty to ensure that the legislation in relation to hackney carriage and private hire licensing is enforced.

BACKGROUND PAPERS

None

Contact Officer: Wendy Peck

Telephone: 01524 582317

E-mail: wpeck@lancaster.gov.uk

Ref: WP