

Report of:	Meeting	Date	Item No.
Michael Ryan, Corporate Director of People and Places	Licensing Committee	26 November 2015	5

Award of the two year contract for compliance testing of licensed vehicles

1. Purpose of report

- 1.1 To consider quotations for the testing of Hackney Carriage and Private Hire Vehicles, Landaus and Limousines and thereby determine the Council's Authorised Testing Station (Nominated Garage) for the two years commencing 1 April 2016 and expiring on 31 March 2018.

2. Outcome

- 2.1 The selected garage will fulfil the Council's requirements for Vehicle Compliance Testing under the Exemption granted by the Secretary of State and under the provisions of Regulation 6 of the Motor Vehicles (Tests) Regulations 1981 (and as amended) from the requirements for a MoT Certificate for as long as the vehicle remains subject to a licence. (Appendix 5).

3. Recommendation

- 3.1 That Members fairly consider both of the Tenders submitted on the basis of which Tender most fulfils the Council's requirements with regard to 2.1 above, the requirements of the Vehicle and Operator Services Agency (VOSA) and represents best value for the licensed Hackney Carriage and Private Hire trade over the forthcoming two years commencing 1 April 2016.
- 3.2 Following an inspection of each premises by Licensing Officers, it should be noted that both the garages meet the necessary requirement for this contract. However members should make the decision based on the best value provided to the taxi and private hire trade.

4. Background

- 4.1 Section 50 of the Miscellaneous Provisions Act 1976 states that the Council can nominate a suitably equipped garage to carry out the testing of private hire and hackney vehicles. Extract below

“S 50 Provisions as to proprietors.

(1) Without prejudice to the provisions of section 68 of this Act, the proprietor of any hackney carriage or of any private hire vehicle licensed by a district council shall present such hackney carriage or private hire 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:

Provided that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.”

- 4.2** There are no financial implications for the Council. All test fees are paid directly to the Nominated Garage.
- 4.3** The current contract for the testing of Hackney Carriages and Private Hire Vehicles expires on 31 March 2016. Quotations have been invited for the two years commencing 1 April 2016 and expiring on 31 March 2018.
- 4.4** Two quotations have been received in the time period allowed from suitably equipped MoT approved garages within this Borough for the testing of Class IV Motor Vehicles including minibus, MPV's and limousines.
- 4.5** These two quotations were opened on Monday 5 October 2015 by Councillor D Henderson in the presence Mr Neil Greenwood (Head of EH and CS) and David Parry (Licensing Officer).
- 4.6** During October 2015, the Taxi Licensing Officer and the Licensing Enforcement Officer visited both garages to ensure that they did comply with VOSA Testing Regulations and would be capable of complying with the requirements laid down by this Authority as described in the Specification Sheet attached as Appendix 1 and the Inspection Sheet attached as Appendix 2. This report can confirm that both garages conform and are suitably located within the borough.

5. Key issues and proposals

- 5.1** On 3 September 2015 an advertisement was placed in the Blackpool Evening Gazette. The advert requested that suitably equipped MoT garages within the borough could contact this Council should they be interested in providing services for the compliance testing of licensed vehicles for the next two years.
- 5.2** Two quotations were received and have been labelled A and B to preserve the anonymity of the companies.

5.3 Tenderers were asked to submit quotes for the individual vehicle checks itemised at Appendix 1 (items A to G on the Specification Sheet) for the two individual years 2016/2017 and 2017/2018. These reflect the fees that the garage proposes to charge drivers/proprietors for carrying out the compliance checks on their vehicles.

As part of the information required, the companies were also asked to complete a Health and Safety Questionnaire and provide details of business hours.

5.4 There are currently 160 Hackney Carriages and 101 Private Hire Vehicles (comprising Items A and C), there are currently no licensed Limousines (Item C) or Landaus (Item G).

Over the past two years:

- No Council Stop Notices have been issued (Item F)
- There have been no test failures (Items B and D)

5.5 The quotations received are presented in the following table (exc. VAT):

Quotation Item	Garage A - £ Fees		Garage B - £ Fees	
	2016-17	2017-18	2016-17	2017-18
A	52.50	52.50	33.00	33.00
B	Free x 1	Free x 1	5.00	5.00
C	55.50	55.50	33.00	33.00
D	Free x 1	Free x1	5.00	5.00
E	25.00	25.00	5.00	5.00
F	10.00	10.00	5.00	5.00
G	21.50	21.50	33.00	33.00

5.6 Based on the figures submitted by both companies and the current number of vehicles licensed by this Council (261), the approximate **minimum** value of the contract over the forthcoming two years to the Nominated Garage would equate to:

Company A) £27,405 Appendix 3

Company B) £17,226 Appendix 4

5.7 The business working hours of each company are printed on the corresponding appendices 3 and 4.

5.8 There is no current action being taken by the Department of Transport or independently by VOSA against either of the companies.

Financial and legal implications	
Finance	There are no financial implications directly associated with the determination of this hearing.
Legal	Compliance with the Council's Contract Financial Procedure.

Other risks/implications: checklist

There are significant implications arising from this report on the issues marked with a ✓ below. The report author has consulted with the appropriate specialist officers on those implications, which are addressed in the body of the report and are taken account of in the recommendations made. There are no significant implications arising directly from this report, for those issues marked with an x.

Risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	x
health and safety	x

Risks/Implications	✓ / x
asset management	x
climate change	x
data protection	x

report author	telephone no.	email	date
Christa Ferguson Licensing Manager	01253 887476	christa.ferguson@wyre.gov.uk	10/11/2015

List of background papers:		
Name of document	date	where available for inspection
Taxi Licensing and Enforcement Policy	August 2004	Licensing Section
DoT Exemption Certificate	February 1981	Licensing Section

List of appendices

- Appendix 1 Specification Sheet
- Appendix 2 Inspection Sheet
- Appendix 3 Quotation from-Company A
- Appendix 4 Quotation from-Company B
- Appendix 5 Exemption Certificate from Department for Transport

arm/rg/lic/cr/15/2611cf6

**TESTING OF NEW OR EXISTING
LICENSED HACKNEY CARRIAGES,
PRIVATE HIRE VEHICLES, LANDAU'S
AND LIMOUSINES**



SPECIFICATION

APPENDIX 1

ITEM 'A' The complete inspection and testing of a standard production motor vehicle constructed or adapted to seat fewer than nine passengers within the workshop and a road test for compliance with the inspection sheet of listed items including and if fitted the taximeter to the Wyre Council current tariff.

The completion of paperwork and providing the vehicle proprietor with a schedule of defects or pass certificate as appropriate.

ITEM 'B' The re-test of Item 'A' failed motor vehicles to listed defects and completion of paperwork.

ITEM 'C' The complete inspection and testing of a larger motor vehicle including stretched limousines constructed or adapted to seat fewer than nine passengers for compliance with the inspection sheet and the schedule of conditions provided for compliance with the Local Government (Miscellaneous Provisions) Act 1976, Part II, Section 47(1) and Section 48(3)(c) and the completion of paperwork as per Item 'A'.

ITEM 'D' The re-test of Item 'C' failed larger motor vehicles to listed defects and completion of paperwork.

Note: Any fees payable for Items 'A' to 'D' and 'G' will be paid by the vehicle proprietor direct to the garage proprietor or test inspector on completion of the test or re-test.

ITEM 'E' The separate testing of taximeters over a measured distance following fare variation, meter repair or replacement and including testing the calendar controlled functions of the meter.

Note: The fee for this item will be paid by the vehicle proprietor direct to the garage proprietor or test inspector on completion of the test. A pass certificate will be issued as appropriate.

ITEM 'F' Release of a Council or Police issued Stop Notice (i.e. examination of a vehicle following enforcement action for defects etc.)

Note: The fee for this item will be paid by the vehicle proprietor direct to the garage proprietor or test inspector on release of the Stop Notice. A Stop Notice Response is to be issued by the garage clearly stating the date and time of release.

ITEM 'G' The complete inspection and testing of a horse drawn carriage whether it be a traditional landau or otherwise for compliance with the inspection sheet of listed items.

The completion of paperwork and providing the carriage proprietor with a schedule of defects or pass certificate as appropriate.

Please Note: In addition to **A** and **C**, items **B/D/E/F** and **G**, will now form part of the calculation on the overall appraisal of the quotation submission.



VEHICLE INSPECTION REPORT

APPENDIX 2



Owner _____ Plate N^o _____ Test Date _____

Reg. N^o _____ Make _____ Model _____

Colour _____ Year _____ Recorded Mileage _____ Seats _____

Chassis N^o _____ Meter Serial N^o _____

Saloon, Hatchback, Estate,
LTI Taxi, E7 / MPV, Minibus

LIGHTING EQUIPMENT	PASS	FAIL	REASON FOR FAILURE
Front lamps			
Rear lamps including reverse			
Headlamps			
Headlamp alignment			
HID headlamp cleaning & levelling systems			
Stop lamps – outer and high level			
Rear reflectors			
Direction indicators and hazard lamps			
Fog lamps front and rear			
Products on any of the lens or lamps that affect intensity			
<hr/>			
STEERING AND SUSPENSION			
Steering controls			
Steering mechanism and system including lock			
Power steering controls, fluid level on reservoir above min			
Front suspension			
Rear suspension			
Transmission shafts			
Wheel bearings			
Shock absorbers			
Wheel alignment			
Stub axles			
Missing/Split/Damaged dust covers on any ball joints			
<hr/>			
BRAKES			
ABS warning systems and controls			
Condition of service brake system			
Condition of brake pipes			
Condition of parking brake system			
Service brake performance			
Parking brake performance			
Additional braking devices			
Electronic parking brake controls			
<hr/>			
TYRES AND WHEELS			
Tyre size and type			
Tyre load and speed ratings			
Tyre condition (& Fitted to manufactures instructions)			
Road wheels			
<hr/>			
SEATBELTS			
Security of mountings			
Condition			
Operation			
<hr/>			
DISABLED ACCESS			
Ramps			
Clamps			
Seat belt(s)			
Powered lift			
Detachable step			
Swivel seat			

Directive 2009/40/EC Malfunction Indicator Lamp (MIL) Check – Effective 1 st April 2012	PASS	FAIL	REASON FOR FAILURE
Air Bag Warning Readiness			
Antilock Brake System (ABS)			
Brake System Warning Light			
Electronic Stability Control (ESC)			
Tyre Pressure Monitoring System (TPMS)			
Engine Malfunction Indicator Lamp			
Electronic Power Steering			
Traction Control			
Seat Belt / Pre-Tensioner			
Other Warning Lamps – if not listed state below:			

GENERAL ITEMS	PASS	FAIL
Windscreen condition		
Windscreen wiper blades & washers		
Leaks: oil / water / fuel		
Horn or audible warning system		
Exhaust system, silencer & emissions		
Visible: No Smoking Signs		
Vehicle structure and general condition		
Fuel system		
Mirrors (internal / external)		
Tow bar security (if fitted) Inc. 7 or 13 pin electrical check		

ADDITIONAL LOCAL ITEMS	PASS	FAIL	TX-E7 / MPV / MINIBUS	PASS	FAIL
Private Hire door stickers			Step light		
Interior light(s)			Emergency exit		
Operation of door locks and handles			Emergency exit signs		
Operation of windows			Secure luggage comp't		
Floor covering condition			Grab/handrails		
Fire extinguisher-dry powder min: 1.5kg			Maximum N ^o of passengers sign		
Upholstery condition			Doors open from inside		
Meter Type, calibration & tariff/fare card			Interior lighting		
Code of Conduct notice			Interior trim, roof and side panels		
Hackney Carriage 'For Hire' sign			Interior mirror		
Condition of H/C or P/Hire plates			External O/S mirror		
Condition of vehicle registration plates			External N/S mirror		
Condition of bodywork			Reverse bleep (if fitted)		
Condition of paintwork			Window Tint: Front/Side		
Internal H/C and P/Hire ID disc					
Rear wiper / wash					

PETROL / DIESEL EXHAUST EMISSIONS TO DIRECTIVE 992/55/EEC										HYBRID VEHICLE Hydrogen/ Electric <input type="checkbox"/> Petrol/ Electric <input type="checkbox"/> Diesel/ Electric <input type="checkbox"/> LPG <input type="checkbox"/> Other <input type="checkbox"/>
PETROL				CATALYTIC CONVERTER		DIESEL				
AUG (M) 1973	JULY (C) 1986	(D) → AUG 1986	(K) → AUG 1992			(V) PRE AUGUST 1979		POST AUGUST 1979		
CO	HC	CO	HC	PASS		NON TURBO CHARGED	TURBO CHARGED	NON TURBO CHARGED	TURBO CHARGE D	
4.5%	1200 PPM	3.5%	1200 PPM	FAIL		3.2m ⁻¹	3.7m ⁻¹	2.5m ⁻¹	3.0m ⁻¹	

PRESENTATION: Clean and well presented Clean Fair Poor

PASS _____ **FAIL** _____ **Signature** _____

Re-Test Date: _____ **Pass** _____ **Signature** _____

Confirm: Reg. N^o _____ Plate N^o _____ Test Date _____

GARAGE STAMP

VEHICLE ADVICE SHEET ATTACHED? YES / NO

**TESTING OF NEW OR EXISTING
LICENSED HACKNEY CARRIAGES,
PRIVATE HIRE VEHICLES, LANDAU'S
AND LIMOUSINES**

APPENDIX 3

Wyre
council

A

FORM OF QUOTATION

To the Borough of Wyre, [REDACTED] the undersigned,

carrying on business at: [REDACTED]

During the business hours of, Mon-Fri. 8-5-30 Sat. 8-12-30 Sun. CLOSED

Hereby offer(s) and undertake(s) to execute and perform all the works and testing referred to in the inspection sheets and specifications at my/our premises in accordance with the highest traditions of the trade and in compliance with the Health and Safety Regulations, Approved Codes of Practice and Industry Good Practice at the prices inserted by me/us on this quotation which would in the absence of any such variations as are provided for by the conditions amounting to the sum of:

	<u>2016/2017</u>	<u>2017/2018</u>
Item 'A' as per specification	£ <u>52.50</u>	£ <u>52.50</u>
Item 'B' as per specification	£ <u>FREE x 1</u>	£ <u>FREE x 1</u>
Item 'C' as per specification	£ <u>55.50</u>	£ <u>55.50</u>
Item 'D' as per specification	£ <u>FREE x 1</u>	£ <u>FREE x 1</u>
Item 'E' as per specification	£ <u>25</u>	£ <u>25</u>
Item 'F' as per specification	£ <u>10</u>	£ <u>10</u>
Item 'G' as per specification	£ <u>21.50</u>	£ <u>21.50</u>

The above sums for Items 'A' to 'G' should not include VAT.

I/We further agree that should this offer be accepted to undertake the proper and complete fulfillment of the terms of the specifications and quotation for securing the due and complete performance of the agreement, then this undertaking shall be for a period of two years commencing on the first day of April following the signing.

It is understood that the lowest or any quotation will not necessarily be accepted.

I/We declare that I/we am/are not in any way connected with the Hackney Carriage or Private Hire trade and I/we have no interest in any licence issued by the Wyre Council for that trade.

Print Tenderers Name [REDACTED]

Tenderers Signature [REDACTED] Date 25/09/2015

Home Address [REDACTED]

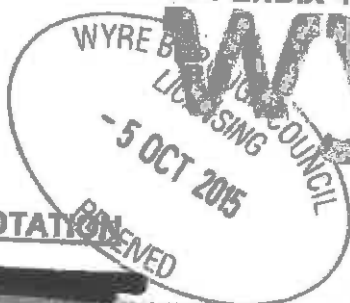
Do you have any current action against you or your company by the Department of Transport? (i.e. letters of warning) ~~YES~~ **NO** (delete as appropriate. If YES, please enter all details overleaf).

BOROUGH OF WYRE
LICENSING
- 5 OCT 2015
RECEIVED

A

**TESTING OF NEW OR EXISTING
LICENSED HACKNEY CARRIAGES,
PRIVATE HIRE VEHICLES, LANDAU'S
AND LIMOUSINES**

APPENDIX 4



FORM OF QUOTATION

To the Borough of Wyre, the undersigned,
carrying on business at:

During the business hours of, Mon-Fri. 08.00 - 18.00 Sat. 08.00 - 13.00 Sun. -/A

Hereby offer(s) and undertake(s) to execute and perform all the works and testing referred to in the inspection sheets and specifications at my/our premises in accordance with the highest traditions of the trade and in compliance with the Health and Safety Regulations, Approved Codes of Practice and Industry Good Practice at the prices inserted by me/us on this quotation which would in the absence of any such variations as are provided for by the conditions amounting to the sum of:

	<u>2016/2017</u>	<u>2017/2018</u>
Item 'A' as per specification	£33-00	£33-00
Item 'B' as per specification	£5-00	£5-00
Item 'C' as per specification	£33-00	£33-00
Item 'D' as per specification	£5-00	£5-00
Item 'E' as per specification	£5-00	£5-00
Item 'F' as per specification	£5-00	£5-00
Item 'G' as per specification	£33-00	£33-00

The above sums for Items 'A' to 'G' should not include VAT.

I/We further agree that should this offer be accepted to undertake the proper and complete fulfillment of the terms of the specifications and quotation for securing the due and complete performance of the agreement, then this undertaking shall be for a period of two years commencing on the first day of April following the signing.

It is understood that the lowest or any quotation will not necessarily be accepted.

I/We declare that I/we am/are not in any way connected with the Hackney Carriage or Private Hire trade and I/we have no interest in any licence issued by the Wyre Council for that trade.

Print Tenderers Name
Tenderers Signature Date 02/10/2015

Home Address

Do you have any current action against you or your company by the Department of Transport? (i.e. letters of warning) ~~YES~~/ NO (delete as appropriate. If YES, please enter all details overleaf).

B



APPENDIX 5

CERTIFICATE FOR THE PURPOSES OF EXEMPTION UNDER REGULATION 30(M)/AND
REGULATION 30(N) OF THE MOTOR VEHICLES (TESTS) REGULATIONS 1976
(AS AMENDED)

TO WYRE BOROUGH COUNCIL

I am directed by the Secretary of State for Transport to inform you that he is satisfied that the granting of a licence in respect of hackney carriages and private hire cars by your authority, in accordance with the procedures summarised in your communication dated 28 January 1981 is conditional upon the passing by the vehicle of an annual test, within the meaning of the above Regulations required by your authority.

This certificate will cease to have validity if there is a change in the procedures mentioned above, and the issue of this certificate is conditional upon the Secretary of State being notified, without delay, should a change in procedures be made.

R Kidd
R KIDD
A Higher Executive Officer
in the Department of Transport

Department of Transport
Room 624
Tollgate House Houlton Street Bristol BS2 9DJ
Telex 448321 Direct line 0272-218 424
Switchboard 0272-218811

26 February 1981

Chief Executive Borough of Wyre Town Hall Poulton-le-Fylde Lancs FY6 7AP	WYRE BOROUGH COUNCIL CHIEF EXECUTIVE / SECRETARY DEPARTMENT RECEIVED 2 MAR 1981 VI7/2/02 Date REF'D. TO. REF'D. TO. REF'D. TO.	Your reference Our reference Date 26 February 1981 FG
---	--	---

Dear Sir

ROAD TRAFFIC ACT 1972 - SECTION 44
EXEMPTION OF HACKNEY CARRIAGES AND PRIVATE HIRE CARS
FROM MOT TESTING

I refer to your application form addressed to the North Western Traffic Area and enclose your Council's exemption certificate.

Yours faithfully

M M Roberts

MRS M M ROBERTS
Vehicle Inspection Division

COPY