

# TONBRIDGE & MALLING BOROUGH COUNCIL

## LICENSING & APPEALS COMMITTEE

13 January 2011

### Report of the Central Services Director

#### Part 1- Public

#### Matters for Information

### 1 PROPOSED FUTURE OF MOT AND COMPLIANCE TESTING

#### 1.1 Background

- 1.1.1 Currently the Borough Council have approximately 330 vehicles that we license. We require that these vehicles undergo a six monthly test, once on renewal of plates and again six months later. The six monthly test can only be carried out at two garages, Lifestyle Ford in Tonbridge, and Brands Hatch Morgan.
- 1.1.2 The test comprises of an MOT test and a compliance test. The compliance test checks that vehicles are suitable for hire and checks are made that a number of requirements are in place. For example, top boxes, correct signage, fire extinguishers, tariff displays and that meters are correct. The current cost of the test is £55 for the MOT element and £30 for the compliance test element. These fees are paid direct to the garage by the applicant.
- 1.1.3 At the two 'trade' meetings held in the summer a number of drivers made representations that they felt the current fee for the test was too high and that only having two garages caused frustration in being able to book and attend a test and did not allow fair and open competition with regard to pricing.
- 1.1.4 We have thought long and hard as to how we can accommodate drivers' concerns, but yet maintain licensed vehicles that are fit for purpose and road worthy.

#### 1.2 The Way Forward

- 1.2.1 It is proposed that the following action is taken:
- Obtain from VOSA a list of all approved MOT testing centres located in the Borough.
  - Write to all testing centres asking them if they would carry out a 'compliance test'. Confirmation of interest to be returned to the Borough Council by mid-February 2011, with an indication of the fee they would charge for a compliance test.

- List compiled of all garages within the Borough able and willing to carry out compliance testing.
- From 1 April 2011, continue with six monthly testing (MOT and compliance) but open the available garages up to all garages who have indicated that they are able to do this – MOT test to be undertaken at any registered MOT testing centre within the Borough.
- Pricing: Garages to set their own fee for compliance and MOT testing.

1.2.1 I propose to make a final report to this Committee at its meeting in March, detailing the results of an updated list for compliance testing, with a recommendation that from 1 April 2011, we continue with a six monthly test but that the number of garages is widened and that the garages set their own price for conducting this work.

### **1.3 Legal Implications**

1.3.1 Section 50 of the Local Government (Miscellaneous Provisions) Act allows the Council to require private hire/hackney carriage proprietors to present the vehicle for testing at whatever place the Council specifies on up to three occasions per year. The place of testing must be within the Borough.

### **1.4 Financial and Value for Money Considerations**

1.4.1 None Identified.

### **1.5 Risk Assessment**

1.5.1 No risks identified.

### **1.6 Equality Impact Assessment**

1.6.1 As this is an information report, no equality impact assessment is required.

Background papers:

contact: Katie Iggulden

Nil

Julie Beilby  
Central Services Director