

## **Original report submitted to Executive in 2009 on the testing of Private Hire vehicles.**

### **1.00 Purpose of Report**

- 1.01 To report the findings of a review of the current arrangements for the testing of Private Hire and Hackney Carriage vehicles and to make recommendations for improving the current Scheme based on the findings of the review.

### **2.00 Background**

- 2.01 In March 2002 the Executive took a decision to approve a Scheme for the testing of Private Hire and Hackney Carriage vehicles licensed by the Council. A number of options were considered at the time but the Executive felt that the most appropriate Scheme involved private sector operators, primarily existing VOSA approved MOT Test Stations in Flintshire, being invited to make representations to become an approved tester.
- 2.02 When the Scheme was first launched in 2002, it was agreed that a minimum of 3 and a maximum of 4 private sector garages would provide sufficient coverage in Flintshire given the geographical size of the county, the number of vehicles to be tested and the need for twice yearly testing. A key aspect of the Scheme was to have sufficient geographical spread so that taxi operators had access to a convenient approved tester.
- 2.03 A selection process began where garages were invited to express an interest in becoming an approved tester subject to meeting detailed quality criteria which was based upon the garages ability to meet minimum standards. An objective evaluation was made prior to a decision to grant approval, with initial approval being granted for a period of 3 years.
- 2.04 Four garages were successful in being included on the approved list in 2002. They were Ewloe Service Station, Flint Services, PCM Vehicle Repairs, Buckley and Gallaghers, Afonwen. When the approval came up for renewal in 2005, the existing garages were given a further 3 years approval based on their satisfactory performance between 2002 and 2005.
- 2.05 Between 2005 and 2008, when the approved list again came up for renewal, a number of other garages expressed interest in becoming an approved tester. However, it became clear from customer feedback that there was a need to have a higher number of approved testers across a wider geographical area.

- 2.06 Therefore, in 2008 the existing approved garages and those which had expressed an interest were assessed against the quality criteria with a view to increasing the number of approved garages from 4 to 6. The existing 4 garages were retained on the list as they had continued to demonstrate satisfactory performance against the quality criteria and 2 additional garages in Deeside Industrial Estate and Llanfynydd were added to widen coverage across the county.
- 2.07 Given that the Scheme has operated in its current format since its introduction in 2002 a review of the Scheme has been undertaken.

### **Review Findings**

- 2.08 Although the Scheme has been operating successfully for the past 7 years, unsuccessful applicants have expressed some concern about the transparency of the Scheme, particularly the process for evaluating applicants against the quality criteria and the lack of any appeal procedure. Additionally, there was some confusion over the importance of geography in the overall assessment of applicants. This raises a key question: is it right to limit the number of garages serving one locality, thereby giving taxi operators more choice and convenience and introducing an element of competition to improve customer service and price?
- 2.09 Another important issue concerns the continued approval of the garages which were first approved in 2002 and had been largely retained on the basis of satisfactory performance in the intervening period. Whilst, this is clearly a very important consideration it does have the affect of creating a 'closed shop' where new applicants who meet the quality criteria can never be considered for inclusion on the approved list as the Scheme currently stands. Equally important, however, is the need to be fair to garages who, having performed well in the past, would be equally dismayed if they were simply removed from the list despite many years of satisfactory performance.
- 2.10 The key, therefore, is to produce a Scheme that is fair, transparent and which increases customer choice, promotes fair competition and delivers improved levels of customer service. Another vital factor, from the Council's perspective, is to have a Scheme which is easy to administer and maintain and is not, therefore, overly bureaucratic. The following proposal outlines a number of suggested improvements to the Scheme which should address many of the concerns that have been identified as part of this review.

### **3.00 Considerations**

- 3.01 Approved List of Testers** – the Council will maintain an approved list of garages across the County. This will ensure that taxi operators have a choice about who they use whilst encouraging the approved testers to provide improved standards of customer service and responsiveness. This proposal will also ensure that both new applicants and existing approved testers will be assessed using the same quality criteria and at the same time rather than existing garages remaining on the list in perpetuity, subject only to a test of satisfactory performance. The intention is to remove the maximum limit on the number of approved testers, provided the administration of the Scheme does not become too burdensome. To cover administration costs, particularly if the number of approved garages were to increase substantially, the service is proposing to levy an charge of £100 to all applicants to the revised Scheme. This fee will be renewable on an annual basis for garages who wish to remain, subject to satisfactory performance, members of the Scheme . Additionally, new applicants to the Scheme will be considered for inclusion on the Scheme at any point during the year.
- 3.02 Annual Performance Review** – the proposal is to undertake a formal performance review the Approved List of Testers on an annual basis against more stringent and transparent quality criteria. This will allow greater flexibility in the operation of the Scheme and ensure that existing operators do not become complacent over time.
- 3.03 Transparency** - the operation of the Scheme and the quality criteria against which garages will be assessed will be published in a variety of forms to ensure all potential applicants are fully aware of the their obligations and responsibilities under the Scheme. When the process for considering new and existing applications, from suitably qualified garages, comes up for renewal every year, a formal notice will be placed on the Council's website. This will signpost potential new applicants to the Scheme and make them aware of the process and timetable if they wish to be considered for inclusion on the Scheme.
- 3.04 Quality Criteria and Evaluation** – the quality criteria will be strengthened and will specify the absolute minimum standards that garages will need to meet in order to be considered for inclusion on the Council's approved list. For example, evidence of satisfactory performance measured from an evaluation of customer feedback or complaints will form a new important feature of the Scheme. An objective evaluation will be made based on the applicant's submission of objective evidence which demonstrates that it meets, or preferably exceeds, the quality criteria. The quality criteria will also include a list of the mandatory equipment that approved garages will need to maintain in order to provide a comprehensive service to operators. Additionally, we will ensure that the

specification details the minimum requirements with regard to equipment to ensure the same standards apply in all approved garages.

3.05 **Appeals Procedures** – as there is no current appeal process for a garage whose application has been unsuccessful a formal appeals process will be introduced. This will be based on the existing process for considering appeals in relation to Taxi Licensing by reference to a Licensing Sub-committee of the Licensing Committee. This will allow for an independent review of the evaluation and evidence by Members.

3.06 **Immediate Actions** - It is proposed to write to existing and potential Testers outlining the changes to the Scheme. The details of the proposed changes will be posted on the Council's website. It is proposed to review the existing approved garages against the revised quality criteria and to ask any prospective garages who wish to be considered to complete the application process. On completion of the evaluation process a revised Approved List of Testers will be published. This work is planned for completion by the end of September 2009.

**4.00 Recommendations**

4.01 That Members approve the proposal for introducing a revised Scheme for approved testers and to periodically review the effectiveness of the Scheme in meeting its objectives and to ensure it remains fit for purpose.

4.02 That the Licensing Committee oversee the effective operation of the Scheme including consideration of future changes to fees, approve the quality criteria and evaluation processes and ensure the Appeals Procedures are followed.

**5.00 Financial Implications**

5.01 None.

**6.00 Anti Poverty Impact**

6.01 None

**7.00 Environmental Impact**

7.01 None

**8.00 Equalities Impact**

8.01 None

**9.00 Personnel Implications**

9.01 None

**10.00 Consultation Required**

10.01 All eligible premises will be contacted

**11.00 Consultation Undertaken**

11.01 See 10.1 above

**12.00 Appendices**

12.01 None