

Meeting: GENERAL PURPOSES

Agenda Item:

Date: 14 January 2009

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LG(MP)A 1976 - COMPLIANCE TEST FEE INCREASE

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1 PURPOSE

To consider a proposal to increase the compliance test fee to £50.00, and the introduction of a cancellation/refund policy for said bookings.

2 RECOMMENDATIONS

That the Committee consider the objections received from the trade during the consultation period and decide whether any amendment to the existing fee, and/or booking process is necessary.

3 BACKGROUND

- 3.1** The proposed compliance test fee increase was advertised in the Comet on 20 November 2008 with a closing date for objections being the 18 December 2008. Three objections were received. These are attached as appendix 1 to this report.
- 3.2** Currently the Compliance Test fee is set at £40.00, the fee for which can be paid up until the time the vehicle test is completed. There is no minimum cancellation period or fee at the present time.
- 3.3** The fees for Compliance Testing were last reviewed in the financial year 2004/05. The current fee of £40.00 has been in effect since the 1 April 2005.
- 3.4** The Contracts Manager at Cavendish Road provided the following information in support of the proposed increase to the Compliance Test fee:

The current MOT test fee as set by VOSA is £53.10 for a class IV vehicle (most taxis fall into this category). The compliance test comprises effectively of an MOT test plus specified additional extras. This extra work places approximately 10 minutes additional labour time to the test.

A survey was recently carried out by the Contracts Manager amongst a number of other authorities and of those that replied the average charge per test was £49.00.

The Contracts Manager has and continues to experience problems whereby tests are booked and drivers fail to turn up and give no notification of cancellation of test. This results in technicians standing around waiting whilst the Council is unable to recover these costs. To alleviate this it has been proposed to change the charging method to take the fee at the time of booking the test and only returning it if the test is cancelled with prior notice as follows:

Appointment Day	Minimum Notice
Monday	Preceding Thursday
Tuesday	Preceding Friday
Wednesday	Preceding Monday
Thursday	Preceding Tuesday
Friday	Preceding Wednesday

NOTE: Public holidays are NOT classified as working days.

It is proposed that customers wishing to cancel a pre-booked test who provide the required notice will receive a full refund for the original test. Customers failing to provide the required notice period will not be entitled to a refund for the original test.

4 REASONS FOR RECOMMENDED COURSE OF ACTIONS AND OTHER OPTIONS

Following consideration of the objections, the options available to the Committee are:

In relation to the test fee:

1. To amend the Compliance Test fee as requested.
2. To amend the Compliance Test fee by a lesser or greater amount than requested
3. To make no change to the current compliance test fee

and

In relation to the booking procedure:

1. To apply the revised booking/cancellation process
2. To apply a modified booking/cancellation process
3. To make no changes to the existing process.

5 IMPLICATIONS

5.1 Financial Implications

The legislation enables this authority to recover the costs of licensing in relation to the enforcement of vehicle licensing; this includes the compliance test. Research by

the Contracts Manager (see paragraph 3.4) demonstrates that the current charging regime is lower than average, is substantially less than approved by VOSA for MOTs which are of a lesser standards than the compliance test and that significant lost time through cancellations is not currently charged for. Any unrecovered vehicle licensing fees are inevitably subsidised by the general fund.

5.2 Legal Implications

There is a statutory procedure for setting fees and charges within the Local Government (miscellaneous provisions) Act 1976, section. When a district council makes any changes to fee's and charges, the changes must be advertised for at least 28 days in at least one local newspaper. If no objections are made, the variation is duly made. If any objection is made and not withdrawn, the district council must set a further date no more than 2 months after the first date specified, on which the increase shall come into force with or without modification.

BACKGROUND PAPERS

- Local Government (miscellaneous provisions) Act 1976

APPENDICES

- Appendix 1 - Objections received