

Environment
Michael Hainge

Your Ref:

Our Ref:

Please ask for: Licensing Assistant

Direct Line / Extension: 01432 260496

Fax: 01432 383142

E-mail: licensing@herefordshire.gov.uk

17th April 2008

Dear ,

RE: WHEELCHAIR ACCESS LICENSED VEHICLE VOSA CHECKS.

Further to my letter dated 14 March 2007, in response to requests from the trade I have spoken to Amey who run the Rotherwas Test Centre and they have agreed to look at VOSA failures that are minor and to pass those which they consider do not affect the safety and roadworthiness of the vehicle in normal use as a taxi (see guidance). They have agreed to this scheme on the provision that the licensing service manages the referrals and that drivers do not contact the test centre directly. I have produced guidance on how to submit the minor non-conformances to the test centre through licensing. In light of the Rotherwas agreeing to look at the minor non-conformances the closing date has been further extended by a month to **30 June 2008**.

In addition I have enclosed a new notice stating the requirement for the test, this notice now outlines your right of appeal to the Magistrates Court.

Finally I have included a summary of the reasons why we are requesting these tests and why we consider that the Single Vehicle Approval Test is the most appropriate test available to date.

If you have already passed the VOSA test and submitted the certificate please make note of this letter but you will not be required to undergo a further test.

Yours sincerely,

SUZANNE LAUGHLAND
LICENSING MANAGER
ENVIRONMENTAL HEALTH AND TRADING STANDARDS



Putting People First **Providing** for our Communities **Preserving** our Heritage **Promoting** the County **Protecting** our Future
County of Herefordshire District Council, Licensing Section, Po Box 233, County Offices, Herefordshire, HR1 2ZF
Main Switchboard (01432) 260000 - www.herefordshire.gov.uk



Notice To Undergo A Test To Determine Fitness Of Vehicle

Section 68 Local Government (Miscellaneous Provisions) Act 1976

I hereby give you [name address] as the proprietor of the following vehicle notice to carry out the test as specified in this Notice:

Vehicle

Licensing number
Registration
Make
Model

Test requirement

To determine the fitness of the vehicle Herefordshire Council requires you under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 to have the following test carried out:-

A Standard Voluntary Single Vehicle (SVA), including Class P and D (Personal Import and Disabled Persons Vehicle). The test will have to be carried out by a registered SVA - VOSA test station (see reverse).

Deadline - Monday 30 June 2007

The certificate demonstrating compliance with Voluntary SVA test requested above should be submitted to the Licensing Section no later than 20 June 2008. However the service may also accept for Minor failures the VOSA failure notice and confirmation of fitness from Rotherwas; subject to their agreement (see Guidance sheet for further information relating to the Rotherwas test).

Right of appeal

You have a right to appeal this decision; any appeal must be made within 21 days and be made to the Magistrate Court.

Further Action if certificate not received by the deadline

If the Authority is not satisfied that the vehicle is fit for use it may suspend or revoke the licence. You may wish to seek your own independent legal advice in relation to this matter.

**MISS S F LAUGHLAND
LICENSING MANAGER
ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

VOSA Test stations

Avonmouth Bristol.

VOSA,
Unit 10,
I.O.Centre,
Cabot Park,
Avonmouth,
Bristol,
BS11 0QL
0117 9381157

Cardiff (Llantrisant)

School Road,
Miskin,
Pontyclun,
Mid Glamorgan,
CF28YR
01443224701

Shrewsbury

SVA Site,
Unit 6,
Levens Drive,
Harlescott,
Shrewsbury,
Shropshire,
SY1 3EG
01743 462621

Summary of grounds why the VOSA tests have been required

The taxi trade approached the licensing service highlighting the possible unsafe conversions of vans to taxis and the installation of wheelchair access facilities.

1. Initially the local VOSA service and Rotherwas were approached to establish if they could carry out the checks on behalf of the service to determine if the vehicles were fit for the road, both declined on the grounds they did not have the necessary training to make such judgements. Only the VOSA Single Vehicle Approval Test Centres were able to provide those assurances.
2. In January the service was informed that the M1 passenger vehicle status on the vehicle registration document does not test the installation of wheelchair access facilities, due to there being no European standard to test the installations against.
3. The Motor Vehicles (Approval) Regulations 2001 as amended. – Requires if a modification has been made to a vehicle, the whole vehicle is required to be tested because it is not known what modifications have been made to the vehicle or what the effect of those modifications is on the vehicle.
4. Therefore as the M1 status listed on the registration documents do not cover the installation of wheelchair access facilities this would be classed as a modification which would need testing.
5. Manufacturers were asked to provide evidence that the vehicles are consistently manufactured to prototype vehicles that have undergone a wheelchair access test, to date the service has not received evidence of consistency with the prototype but will continue to work with the manufacturers. We are not alleging inconsistency but would need a demonstration of consistency.
6. Comparisons were made to other licensing systems:-

Leeds – they approve type approved vehicles but did not consider as part of this approval the installation of wheelchair access facilities instead relied upon European type approvals which as stated above does not cover wheelchair access.

Public Carriage office- they carry out their own destructive tests on prototype Type vehicles to give their own type approval over and above the M1 status. They will then carrying out audits at manufacturer and have each vehicle tested twice a year to their own standard tests. The tests are carried out by SGS a private test centre who receive additional training from the Public Carriage Office and also undergo audits by the Public Carriage Office.
7. The VOSA single vehicle type approval test is the only test that has been highlighted as a legally recognised test that would provide assurances the vehicles are fit for the road in light of the modifications made in addition to the type approval. (e.g. the installation of the wheelchair access facilities)
8. The service has sought advice from the Department of Transport who has not recommended any other course of action and has said that the VOSA test would provide assurances for vehicles with wheelchair access installed to demonstrate its safety for the road.
9. Arrangements have been made to assist the trade with the approval of minor non-conformances highlighted by the VOSA test (see guidance).