

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIROMENT AND NEIGHBOURHOOD SERVICES

TO:	LICENSING APPLICATIONS SUB-COMMITTEE 3		
DATE:	9 JANUARY 2018	AGENDA ITEM:	4
TITLE:	PROPOSED CHANGES TO THE HACKNEY CARRIAGE VEHICLE MERCEDES VITO EURO 4 TAXI SPECIFICATION		
LEAD COUNCILLOR:	COUNCILLOR SARAH HACKER	PORTFOLIO:	CULTURE, SPORT AND CONSUMER SERVICES
SERVICE:	PLANNING DEVELOPMENT & REGULATORY SERVICES	WARDS:	BOROUGHWIDE
LEAD OFFICER:	J S CHAMPEAU	TEL:	0118 937 2239
JOB TITLE:	SENIOR LICENSING & ENFORCEMENT OFFICER	E-MAIL:	Jean.champeau@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To consider and approve the proposed changes to the existing Hackney carriage Mercedes Vito Euro 4 Taxi.

2. RECOMMENDED ACTION

- 2.1 Members consider the requested changes to the vehicle specification to the Mercedes Vito.
- 2.2 Members approve one of the options proposed by officers.

3. POLICY CONTEXT

- 3.1 On 1 October 2008 Councillors approved the use of the Mercedes Vito taxi, this new vehicle met the conditions of fitness as set out by the Public carriage office. A copy of the committee report is attached as Appendix I.

4 THE CURRENT POSITION

4.1 Current Position

- 4.2 There are 8 Mercedes Vito Euro 4 taxis on the fleet. Over the past four years an issues has developed with the rear wheel steering (RWS) It appears the that the

construction of the RWS is not fit for purpose, keeps breaking down, is difficult and expensive to repair. Mr Raja the owner of a number of Vito's has requested that we adopt the approach taken by Manchester City Council. Manchester City Council has approved the removal of the RWS and the fixing of wheels to full - wheel alignment A copy of the Manchester City Report and Mr Raja request is attached as Appendix II.

4.3 The Mercedes Vito Euro 5 taxi has a RWS system but the RWS issues have been resolved.

5. THE PROPOSAL

5.1

Option 1

- Make No changes to the existing criteria

Option 2

- No new Mercedes Vito Euro 4 taxis be permitted to the fleet.
- The existing Mercedes Vito Euro 4 taxis be maintained to the London standard of fitness until replaced.

Option 3

- No new Mercedes Vito Euro 4 taxis be permitted to the fleet.
- The existing 8 Mercedes Vito Euro 4 taxis be permitted to decommission the RWS by a suitably qualified mechanical engineer.

Option 4

- No new Mercedes Vito Euro 4 taxis be permitted to the fleet.
- The existing Mercedes Vito Euro 4 taxis be permitted to decommission the RWS by a suitably qualified mechanical engineer.
- The Mercedes Vito Euro 4 taxis that have had the RWS decommissioned be removed from the fleet 12 months after the decommissioning date, as they no longer meet the London Standard of fitness.

5.2 Officer comments

The issue of problem RWS has been around for a number of years, it is possible that the first owners of the Vito would not have known of the RWS issue however subsequent Vito's owner's may have known about the problem. The manufacturer is now aware of the issue and is in the process of resolving the issue, if the council permits vehicle's to fleet which are not to the London standard of fitness, will the council come under pressure to licence other vehicles that are below the required standard.

Existing HCV owners may buy cheaper euro 4 models in the knowledge that the council will allow them to be decommissioned if option 3 is adopted.

- 5.3 The Reading Taxi Association has indicated that it is not in favour of altering the existing conditions, a copy of their response can be found as Appendix III.
- 5.4 On 16 November 2017 officers spoke to Mercedes Benz Vans Ltd and detailed the issues raised by Mercedes Euro 4 Vito owners. Mercedes Benz Vans Ltd confirmed in writing that the repairs and spares required are available via specialist dealers, the nearest Mercedes Van repair dealer is Rygor Commercials Ltd located at 8 Rose Kiln Lane Reading. I attach a copy of the email received by officers and the details supplied by the link as Appendix IV.
- 5.5 On 17th of November 2017 an email was sent to officers detailing a reply sent by Mercedes to a Vito owner re the lack of supply for some parts used in the RWS. Officers wrote to Mercedes Benz detailing the content of e-mail and requesting a reply on 14 December 2017 a reply was received acknowledging the issue and confirmation that the matter was being resolved, a copy of these e-mails are attached as Appendix V.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 This matter has been raised with the Reading Taxi Association.

7. CONTRIBUTION TO STRATEGIC AIMS

7.1 Sustainable Implications

The use of public transport, which includes hackney carriages, is supported by Reading Borough Council in order to develop as a green city and provides a valuable contribution to the economic development of the town.

7.2 Community Safety Implications

The licensing of, and specifying appropriate licence conditions for hackney carriage vehicles assists in ensuring that a safe and efficient service is provided to residents and visitors.

8. LEGAL IMPLICATIONS

The Council may require any hackney carriage licensed by it to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

9. FINANCIAL IMPLICATIONS

The costs of purchasing and maintaining a hackney carriage vehicle is borne by the proprietor of the vehicle.

**READING BOROUGH COUNCIL
REPORT BY DIRECTOR OF ENVIRONMENT, CULTURE AND SPORT**

TO:	LICENSING APPLICATIONS SUB-COMMITTEE 3		
DATE:	1 OCTOBER 2008	AGENDA ITEM:	3
TITLE:	PROPOSAL TO INCLUDE THE MERCEDES VITO TAXI AS AN APPROVED VEHICLE FOR USE AS A HACKNEY CARRIAGE		
LEAD COUNCILLOR:	PAUL GITTINGS	AREA COVERED:	ENVIRONMENT & SUSTAINABILTY
SERVICE:	ENVIRONMENTAL SERVICES	WARDS:	BOROUGHWIDE
LEAD OFFICER:	NATASHA MOUNCE	TEL:	0118 939 0707/2707
JOB TITLE:	TEAM LEADER LICENSING	E-MAIL:	Natasha.mounce@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To seek member's approval to include the Mercedes Vito taxi as an approved hackney carriage for licensing by the Council.

2. RECOMMENDED ACTION

- 2.1 Committee approve the licensing of the Mercedes Vito Taxi, conforming to the Conditions of Fitness as set out by the Public Carriage Office;
- 2.2 Committee require all Mercedes Vito Taxis to be fitted with the Mercedes Taxi Graphic Pack prior to being licensed as hackney carriages in Reading.

3. POLICY CONTEXT

- 3.1 The Council is committed to ensuring the highest of standards in licensed hackney carriage vehicles.

4. BACKGROUND

- 4.1 In July 1987 the Transportation Committee of Reading Borough Council resolved to grant hackney carriage vehicle licences only in respect of vehicles, which complied with the following:

- a. Black in colour;

- b. Comply with Part II of the Public Carriage Office specification 'Conditions of Fitness';
 - c. Not more than 3 years old.
- 4.2 Amendments to this policy have occurred over the ensuing years, resulting in vehicles of any manufacturers standard colour now being able to be licensed and the vehicle age limit for first plating being extended to 5 years old. In respect of new vehicle proprietors licences currently being issued to people who have been driving and renting cabs from others, on 28 March 2007 the Licensing Committee determined that in these cases only brand new vehicles could be licensed.
- 4.3 The specification that hackney carriages comply with the Public Carriage Office's Condition of Fitness still remains. Up until recently these Conditions of Fitness have only applied to what is commonly known as a London style black cab, built by London Taxis International (LTI) which is instantly recognisable as a hackney carriage.
- 4.4 The Mercedes Vito has been in production for a number of years and within Reading there are a number currently licensed as private hire vehicles. Mercedes have now produced the Mercedes Vito Taxi, which complies with the Public Carriage Office's Standards of Fitness. On 26 June 2008 the Public Carriage Office approved the Mercedes Vito Taxi for use as a hackney carriage in London. If Mercedes Vitos are approved for licensing as hackney carriages Reading will be the first authority outside of London to accept the new vehicles.
- 4.5 Several Reading hackney carriage drivers who are currently renting cabs from other owners, but have satisfied the criteria for the issuing of a hackney carriage proprietor's licence, have requested to be able to plate the new Mercedes Vito Taxi.
- 4.6 Currently there is no vehicle type within Reading licensed as both a private hire vehicle and a hackney carriage vehicle. The Mercedes Vito is available with a no cost graphics option of taxi signage that runs down both sides of the vehicle. If members are minded to approve the Mercedes Vito Taxi for use as a hackney carriage in Reading it is recommended that only vehicles fitted with the taxi graphics signage be licensed. This will assist in ensuring the vehicle is recognisable as a hackney carriage to members of the public and will also assist in ensuring that Mercedes Vito Taxis are distinguishable from Mercedes Vito private hire cars.

5 PROPOSAL

- 5.1 It is proposed that the policy of Reading Borough Council remains that any vehicle that meets the Standards of Fitness of the Public Carriage Office be eligible for licensing as a hackney carriage in Reading, and, in the case of

the Mercedes Vito Taxi, only those vehicle fitted with the manufacturers Taxi Graphic Pack be licensed.

6 CONSULTATION

- 6.1 Several hackney carriage drivers who have approval for applying for a hackney carriage proprietor's licence have requested they be able to purchase and plate the Mercedes Vito Taxi. A visit to London to view this vehicle has been made by officers and a representative from the Reading Taxi Association.

7 CONTRIBUTION TO STRATEGIC AIMS

7.1 Sustainable Implications

The use of public transport, which includes hackney carriages, is supported by Reading Borough Council in order to develop as a green city and provides a valuable contribution to the economic development of the town.

7.2 Community Safety Implications

The licensing of, and specifying appropriate licence conditions for hackney carriage vehicles assists in ensuring that a safe and efficient service is provided to residents and visitors.

8. LEGAL IMPLICATIONS

The Council may require any hackney carriage licensed by it to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

9. FINANCIAL IMPLICATIONS

The costs of purchasing and maintaining a hackney carriage vehicle is borne by the proprietor of the vehicle.

LICENSING APPLICATIONS SUB-COMMITTEE 3 MINUTES - 1 OCTOBER 2008

Present: Councillor Skeats (Chair);
Councillors Duveen, Edwards, P Jones and Stainthorp (for Minutes 17 to 19 and 20, resolution number 3, 4 and part of 1 and 5).

Apologies: Councillor Byrne.

RESOLVED ITEMS

17. PROPOSAL TO INCLUDE THE MERCEDES VITO TAXI AS AN APPROVED VEHICLE FOR USE AS A HACKNEY CARRIAGE

The Head of Environment and Consumer Services submitted a report asking the Sub-Committee to consider including the Mercedes Vito as an approved vehicle for use as a hackney carriage.

In July 1987 the Transportation Committee of the Council resolved to grant hackney carriage vehicle licences only in respect of vehicles, which complied with the following: be black in colour; comply with Part II of the Public Carriage Office specification 'Conditions of Fitness'; and not be more than 3 years old. Amendments to this policy had occurred over the following years, resulting in vehicles of any manufacturers standard colour now being able to be licensed and the vehicle age limit for first plating being extended to five years old. In respect of new vehicle proprietors licences currently being issued to people who had been driving and renting cabs from others, on 28 March 2007 the Licensing Committee had determined that in these cases only brand new vehicles could be licensed.

The Mercedes Vito had been in production for a number of years and within Reading there were a number currently licensed as private hire vehicles. Mercedes had now produced the Mercedes Vito Taxi, which complied with the Public Carriage Office's Standards of Fitness. On 26 June 2008 the Public Carriage Office approved the Mercedes Vito Taxi for use as a hackney carriage in London. If Mercedes Vito's were approved for licensing as hackney carriages, Reading would be the first authority outside of London to accept the new vehicles.

Currently there was no vehicle type within Reading licensed as both a private hire vehicle and a hackney carriage vehicle. The Mercedes Vito was available with a no cost graphics option of taxi signage that ran down both sides of the vehicle. If members were to approve the Mercedes Vito Taxi for use as a hackney carriage in Reading it was recommended that only vehicles fitted with the taxi graphics signage be licensed. This would assist in ensuring the vehicle was recognisable as a hackney carriage to members of the public and would also assist in ensuring that Mercedes Vito Taxis were distinguishable from Mercedes Vito private hire cars.

An example of the Mercedes Vito was available at the meeting for inspection by the Sub-Committee. Mr Roy McMaster from One80 was present at the meeting and addressed the Sub-Committee.

Councillor Stainthorp proposed an amendment to the recommendations that only Mercedes Vito's in the colour of black be approved as a vehicle for use as a hackney

LICENSING APPLICATIONS SUB-COMMITTEE 3 MINUTES - 1 OCTOBER 2008

carriage, which was seconded by Councillor Skeats. The amendment was voted on and lost.

Resolved -

- (1) That the Mercedes Vito, confirming to the Conditions of Fitness as set out by the Public Carriage Officer, be approved as a vehicle for use as a hackney carriage;
- (2) That all Mercedes Vito Taxis be fitted with the Mercedes Taxi Graphic Pack prior to being licensed as hackney carriages in Reading.

18. EXCLUSION OF THE PRESS AND PUBLIC

Champeau, Jean

From: Mohammed Shabir <[REDACTED]@gmail.com>
Sent: 08 November 2017 13:47
To: Champeau, Jean
Cc: [REDACTED]@hotmail.co.uk; [REDACTED]@gmail.com; Masson, Clyde
Subject: Mercedes Vitos

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Mr Champeau

Thank you for your email.

I can confirm that the RTA is not in favour of altering the current HCV licensing conditions. We believe that the current conditions are working very well.

Although the RTA is sympathetic towards Vito owners currently facing these difficulties, owners of the TX4 have faced problems with engine failures for many years but continue to abide by the licensing conditions. The cost to TX4 owners is far greater than the cost to Vito owners.

If RBC was to move away from the London Standard of fitness including the turning circle, we fear that this would lead to other vehicles being licensed which ultimately would damage the trade in the long term, as well as a drop in standards, and therefore we are not in favour of any changes.

Thank you.

Kind Regards

Mohammed Shabir

Click [here](#) to report this email as spam.

Champeau, Jean

From: Masson, Clyde
Sent: 06 November 2017 08:16
To: Champeau, Jean
Subject: FW: Rear Wheel Steer System [OFFICIAL]
Attachments: RWS_report_FINAL (1)

-----Original Message-----

From: Haseeb Raja [mailto:████████@outlook.com]
Sent: 06 November 2017 00:19
To: Masson, Clyde
Subject: Rear Wheel Steer System

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Mr. Masson

Reference to our conversation I am emailing regarding the rear wheel steer (RWS) on the Vito Euro 4 Taxi. I have tried to obtain the parts for my taxi from various Mercedes-Benz dealers but have had no luck trying to obtain the actuators for the RWS. I have an email from S and B Commercials who sell the Vito Taxi on behalf of Mercedes-Benz informing my colleague Mr Beg (who also own a euro 4 taxi) that they no longer supply parts for the RWS on the Euro 4 Taxi. They advised me to contact Penso regarding this matter. I contacted Penso but was informed that they only deal with Euro 5 onwards. They also informed me that the company dealing with Euro 4 Taxis no longer exists.

I would request RBC to take the same stance as Manchester City Council and decommission the RWS system on all the Euro 4 Taxis until the age limit of the vehicle. I have attached the report from Manchester City Council in this email.

Regarding the Euro 5 Taxi there seems to be no issues with the RWS systems but as I have discussed with you purchasing a Euro 5 Taxi is not an option because of the money already invested in the Euro 4 vehicle.

Last year I had my RWS overhauled at a cost of over £2000 but the system failed after a few months but I was only given 3 months warranty.

I would like the decommissioning of the RWS system to be considered at the next license committee meeting and would request a meeting with you along with 1 or 2 other Vito owners to discuss this issue in more detail.

Thank you

Haseeb Raja
Plate no. 355

Manchester City Council Report for Resolution

Report to: Licensing & Appeals Committee – 28 October 2013

Subject: Review of Criteria allowing the Decommissioning of the Rear Wheel Steer System on Mercedes Benz Vito Taxi Vehicles

Report of: Head of Planning, Building Control and Licensing
Deputy Chief Executive (Neighbourhoods)

Summary

The report advises the Committee that following their decision on 2 July 2013 to adopt criterion, relating to the decommissioning of the rear wheel steer (RWS) system on Mercedes Benz Vito Taxi vehicles, a related issue has been brought to the City Councils attention.

The report details of an e-mail received from a hackney carriage trade representative who has advised that the Council should have taken into consideration the EU Motor Vehicle Block Exemption Regulation (EU) 461/2010 (MVBBER). (A copy of the notes explaining the background to the regulations is attached to the report at **Appendix 1**) in relation to who could carry out the work to decommission RWS systems on Mercedes Vito Taxi vehicles.

The report provides the Committee with proposed re-worded criteria, which takes into account the issue raised by the trade representative, but which would still provide for the necessary checks in relation to decommissioning

Recommendations

The report recommends that the Committee agree to an amendment to the criteria that was approved on 2 July 2013 and allow the decommissioning work to be carried out by a suitably qualified mechanical engineer with the proviso that such work would then be checked by an agent of Mercedes Benz. The proposed amended criteria to read as follows:

That the RWS to be decommissioned by a suitably qualified mechanical engineer by:-

- Replacement of the rear wheel steer trailing arms with original Mercedes-Benz rear suspension or trailing arm units (new ones)
- Disposal of rear steering equipment including the button in the driver's compartment (which should be replaced by a cover plate)
- Complete disconnection and re-sealing of wiring so it cannot be used again.
- The vehicle to have a full 4-wheel alignment.
- Written certification that the work has been undertaken as outlined above will be required from a Mercedes Benz agent

Wards Affected: All

Community Strategy Spine	Summary of the contribution to the strategy
Performance of the economy of the region and sub region	The amendment to the criteria may lead to work being undertaken by a number of garages within Manchester.
Reaching full potential in education and employment	Opening up the work to other garages may lead to employment opportunities for mechanical engineers
Individual and collective self esteem – mutual respect	Not applicable to the content of this report
Neighbourhoods of Choice	Not applicable to the content of this report

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

Contact Officers:

Name: Jenette Hicks
Position: Licensing Unit Manager
Telephone: 0161 234 4962
E-mail: j.hicks1@manchester.gov.uk

Name: Ann Marku
Position: Principal Licensing Officer (Taxis)
Telephone: 0161 957 5956
E-mail: a.marku@manchester.gov.uk

Background documents

Licensing and Appeals Committee report 2 July 2013
EU Motor Vehicle Block Exemption Regulation (EU) 461/2010 (MVBER)
E-mails – (30 Aug/16 Sept)

1. Introduction

- 1.1 On 2 July 2013 the Council approved criteria, which advised hackney carriage vehicle proprietors of the mechanical requirements needed to decommission the RWS system on Mercedes Benz Vito taxis. It also advised that the decommissioning must be carried out by an agent of Mercedes Benz.
- 1.2 On 30 August 2013, the criterion was circulated by e-mail to all trade representatives. A letter was subsequently sent out to all hackney carriage vehicle proprietors. The following is an extract from that letter;

Following consultation with Mercedes Benz the Council will only accept vehicles, where the RWS has been decommissioned as follows:

- That the RWS decommissioning has been carried out by an authorised Mercedes-Benz dealer.
- That the RWS has been decommissioned by:-
- Replacement of the rear wheel steer trailing arms with original Mercedes-Benz rear suspension or trailing arm units (new ones).
- Disposal of rear steering equipment including the button in the driver's compartment (which should be replaced by a cover plate).
- Complete disconnection and re-sealing of wiring so it cannot be used again.
- The vehicle to have a full 4-wheel alignment.
- That the vehicle proprietor provides the Council with documentary evidence that the work has been carried out as specified above.

Mercedes Benz have advised that completion of the works as stated above is likely to take a full day and when completed will ensure that the vehicle is still covered by the manufacturers' warranty and service conditions.

2. Background

- 2.1 On 30 August 2013 the licensing unit received an e-mail from a representative of Taxi Owner Drivers Association (TODA). The e-mail asks whether the Council had taken into consideration the EU Motor Vehicle Block Exemption Regulation (EU) 461/2010 (MVBBER), when deciding the criteria for decommissioning of the RWS.
- 2.2 On 30 August the licensing unit manager responded to the e-mail advising that the EU legislation that he referred to had not been taken into consideration. Officers were not aware of the legislative requirements nor had any person from the trade brought this to the Councils attention during the consultation period or following publication of subsequent committee reports. A subsequent response was received from the trade representative on 16 September 2013. A copy of the e-mails is attached to the report at **Appendix 2**.
- 2.3 Officers consulted with City Solicitors who have confirmed that any conflict between the current criteria and legislation, whether that is domestic or EU needs to be addressed.

2.4 Having taken into consideration the EU legislation officers have proposed an amendment to the current criteria, which will allow any 'suitably qualified mechanical engineer to carry out the decommissioning works' provided it is then checked and certified by a Mercedes Benz agent.

2.4.1 The certification by Mercedes Benz is considered to be necessary as the work to be carried out is a vehicle modification and not simply a repair.

2.4.2 The following paragraph provides the Committee with the proposed suggested wording in respect of the criteria to be met in decommissioning the RWS on the Mercedes Vito taxis

That the RWS to be decommissioned by a suitably qualified mechanical engineer by:-

- Replacement of the rear wheel steer trailing arms with original Mercedes-Benz rear suspension or trailing arm units (new ones)
- Disposal of rear steering equipment including the button in the driver's compartment (which should be replaced by a cover plate
- Complete disconnection and re-sealing of wiring so it cannot be used again.
- The vehicle to have a full 4-wheel alignment.

Written certification that the work has been undertaken as outlined above will be required from a Mercedes Benz agent, which will ensure the necessary checks remain in place

3.0 Other legal implications

3.1 There are no other legal implications to consider.

4.0 Contributing to the Community Strategy

4.1 (a) Performance of the economy of the region and sub region

4.1.1 The amendment to the criteria may lead to work being undertaken by a number of garages within Manchester.

4.2 (b) Reaching full potential in education and employment

4.2.1 Opening up the work to other garages may lead to employment opportunities for mechanical engineers

4.3 (c) Individual and collective self-esteem – mutual respect

4.3.1 Not applicable to content this report

4.4 (d) Neighbourhoods of Choice

4.4.1 Not applicable to content this report

5. Other Considerations

5.1 (a) Equal Opportunities

5.1.1 There are no equal opportunity considerations

5.2 (b) Risk Management

5.2.1 The Council would be at risk of legal challenge should the criteria, not be amended to reflect the EU legislation.

5.3 c) Legal Considerations

5.3.1 There are no other legal considerations other than those already identified within the report.

6.0 Conclusion

6.1 The report advises the Committee that information has now been received from, a hackney carriage trade representative, concerning EU legislation (attached to the report at Appendix 1), that was not taken into consideration, when a decision was made relating to the criteria to be followed to allow the decommissioning of the RWS on Mercedes Vito taxis.

6.2 The report advises that Officers, following advise from City Solicitors, considered the relevant EU legislation and have proposed an amendment (provided at 2.4.2 within the report) to the current criteria that takes the legislation into account.



Independent garages and the Motor Vehicle Block Exemption Regulation

Standard Note: SN/BT/5060
Last updated: 6 July 2010
Author: Antony Seely
Section: Business and Transport Section

Many Members have been contacted by constituents concerned about changes to European rules governing competition in the motor trade, and in particular, the threat posed by these rules for independent garages that carry out servicing and need access to spare parts.

Under EU competition law, specific provision is made to exclude certain sectors from the general prohibition of anti-competitive agreements. One of these sectors is the distribution and servicing of motor vehicles. The 'Motor Vehicle Block Exemption', or MVBBER for short, allows car manufacturers to create networks of selective and exclusive dealerships, provided that they do not contain any serious restrictions of competition. The legislation also requires manufacturers to provide authorised repairers access to technical information and spare parts. Until recently, these rules were set out in *European Commission Regulation No. 1400/2002*. In 2008 the Commission began consulting on replacing these rules, as the regulation was set to expire in May 2010. During this process many independent garages expressed concern that without the regulation being renewed, manufacturers would be able to withhold information and parts, shutting them out of the market.

In July 2009 the Commission proposed that repair & maintenance in the market could be covered by a new focussed block exemption regulation, and in December that year launched a formal consultation on this reform.¹ In May 2010 the Commission announced that a new block exemption would apply from 1 June 2010 over the markets for repair and maintenance. In the case of vehicle sales, the Commission decided that the existing provisions in the MVBBER would apply for three more years, as a transitional measure, before being withdrawn – on the grounds that this sector was highly competitive. These arrangements are set in place for 13 years, until 31 May 2023.² The long consultation period over which these proposals have been developed, and the new block exemption for repair, maintenance and spare parts, appear to have met many of the concerns initially expressed about the new regime.

This note discusses the background to this reform.

¹ European Commission press notice IP/09/1984, 21 December 2009

² European Commission press notice IP/10/618, 27 May 2010

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"@taxownersmanche
ster.co.uk>

16/09/2013 16:26

To [REDACTED]@manchester.gov.uk>

cc

Subje RE: Decommissioning of the Rear Wheel Steer System on the
ct Mercedes Vito Taxi.

Hi Jenette

Thank you for your reply, which I have now spoken about to the proprietor concerned and can offer the following;

The background is that a proprietor contacted me with the question of why in light of the EU Motor Vehicle Block Exemption Regulation (EU) 461/2010 (MVBBER) he had to go to a manufacturer approved agent for what will be a cost repair/replacement rather than warranty work as was the case with the TX4 fire issue. He has a long standing relationship with a garage that he trusts to carry out repairs/renewals on his vehicles, conversely he has spent several thousand pounds with Mercedes Benz and they have failed to eradicate the problems with his rear wheel steering leaving him with little confidence.

He is of the opinion that if the work was carried out and certified to have been done correctly (by Mercedes themselves, or a suitably qualified engineer) then this should be sufficient.

I can't offer any comment to what was said at the Licensing and Appeals Committee as I was not present, however this particular proprietor was so overwhelmed with relief at the prospect of being able to be rid of his rear wheel steering problems, that the intricacies of the matter came into his mind only when that initial elation subsided and his thoughts turned to the practicalities of having the work done, I suspect other proprietors were somewhat intoxicated by euphoria too. Also some proprietors may have had difficulty following the committee as English is not their first language.

He has asked that in light of the EU Motor Vehicle Block Exemption Regulation (EU)461/2010 (MVBBER)which was not considered prior to the decision; that proprietors must use an approved agent of Mercedes Benz, that

the council reconsider this detail at it's earliest convenience.

Kind regards

-----Original Message-----

From: j.hicks1@manchester.gov.uk [mailto:j.hicks1@manchester.gov.uk]
Sent: 30 August 2013 17:16
To:
Cc:
Subject: RE: Decommissioning of the Rear Wheel Steer System on the Mercedes Vito Taxi.

Hi ,

Ann's left for the day but I've received your e-mail below . There hasn't been any consideration of EU Motor Vehicle Block Exemption Regulation (EU) 461/2010 (MVBBER).

The thought process behind requiring the decommissioning of the Rear Wheel Steer mechanism and restoration to the original steering design is that such changes should be carried out by an approved agent of the vehicle manufacturer

The following recommendation was included in reports considered by the Licensing and Appeals Committee at meetings on 10 June and 2 July 2013

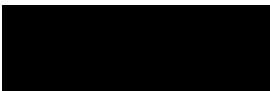
That the Committee allow proprietors of Mercedes Vito vehicles currently licensed in Manchester and fitted with a Low Speed Manoeuvrability System (LSMS) who wish to have the LSMS decommissioned by an approved agent of Mercedes Benz, be allowed to do so and return the vehicle back to its original steering design

There were a number of trade representatives present at both meetings and although trade reps addressed the Committee, no comments were made objecting to the recommendation.

Please let me have any information you wish the Council to consider

Regards

Jenette Hicks
Licensing Manager
Planning, Building Control & Licensing
Manchester City Council
PO Box 271
Manchester
M18 8YU

@manchester.gov.uk

"@taxio
wnersmanchester.c
o.uk>

To

30/08/2013 16:49

cc

Subject
RE: Decommissioning of the Rear
Wheel Steer System on the Mercedes
Vito Taxi.

Dear Ann

Thank you for the email below, could you please clarify if this work must be done at a "approved agent of Mercedes Benz", if so could you confirm whether the council has considered if this requirement is legal in light of the EU Motor Vehicle Block Exemption Regulation (EU) 461/2010 (MVBBER).

Kind regards

From: a.marku@manchester.gov.uk [mailto:a.marku@manchester.gov.uk]
Sent: 30 August 2013 10:19
To:
Subject: Decommissioning of the Rear Wheel Steer System on the Mercedes Vito Taxi.
Importance: High

Dear All - For Your Information

Decommissioning of the Rear Wheel Steer System on the Mercedes Vito Taxi.

On 2 July 2013 The Licensing and Appeals Committee meeting approved that the Low Speed Manoeuvrability System on the Mercedes Vito Taxi can be decommissioned by an approved agent of Mercedes Benz and vito taxis returned to their original steering design . This was subsequently approved by full Council and decommissioning can take place with immediate effect The criteria for the decommissioning is as follows

That the RWS to be decommissioned by:-

Replacement of the rear wheel steer trailing arms with original Mercedes-Benz rear suspension or trailing arm units (new ones).
Disposal of rear steering equipment including the button in the driver's compartment (which should be replaced by a cover plate).
Complete disconnection and re-sealing of wiring so it cannot be used again.
The vehicle to have a full 4-wheel alignment.
Written verification that the work has been undertaken as outlined above will be required from the Mercedes Benz agent

Mercedes Benz have advised that completion of the works as stated above is likely to take a full day and when completed will ensure that the vehicle is still covered by the manufacturers' warranty and service conditions.

Ann Marku
Principal Licensing Officer (Taxis)
Planning, Building Control & Licensing
Manchester City Council
PO Box 271
Manchester
M18 8YU
M18 8EQ (sat Nav)

[REDACTED] k or
[REDACTED] k for general taxi licence enquiries

Champeau, Jean

From: [REDACTED]@daimler.com
Sent: 16 November 2017 11:11
To: Champeau, Jean
Subject: Rear wheel steer maintenance / spare parts

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Dear Jean,

Many thanks for your time this morning. I made a couple of calls following our conversation and am pleased to confirm that, as expected, rear wheel steer spare parts are readily available through our dealer network to help with EU4 Vito Taxi.

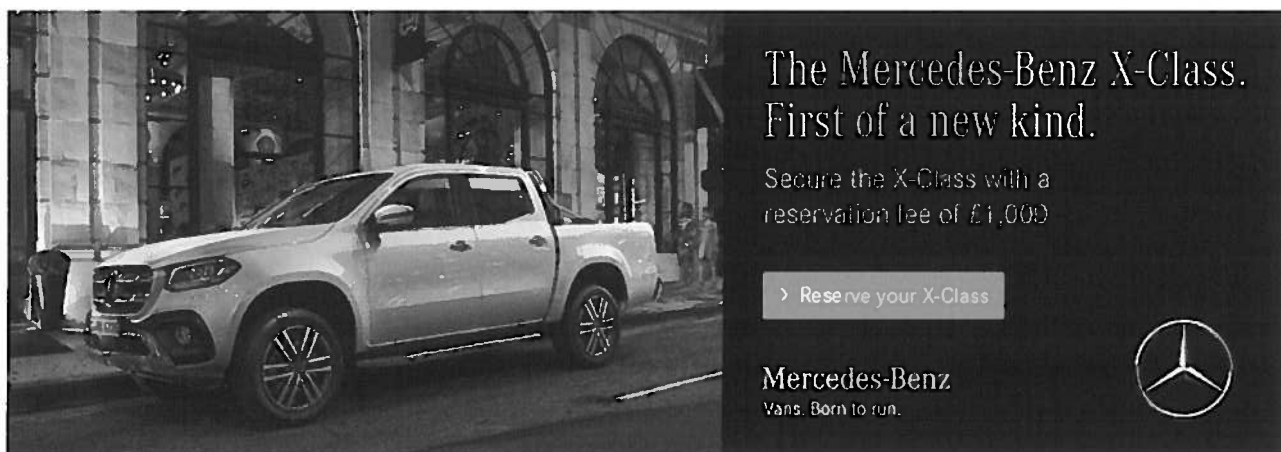
Should you require any further assistance, or wish to point your drivers to a specialist dealer, S&B Commercials at Hatfield are extremely experienced in Taxi and I know would assist: <http://www.sbcommercials.co.uk/pages/van-servicing.php>

Should you require any further assistance, please do not hesitate to contact me – I will also remain on site throughout the day today.

Kind regards,

Nick Williams
District Manager

Mercedes-Benz Vans UK Limited
MK15 8BA




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A company registered in England and Wales

Registration Number: 10304278

Registered Address: Tongwell, Milton Keynes, MK15 8BA

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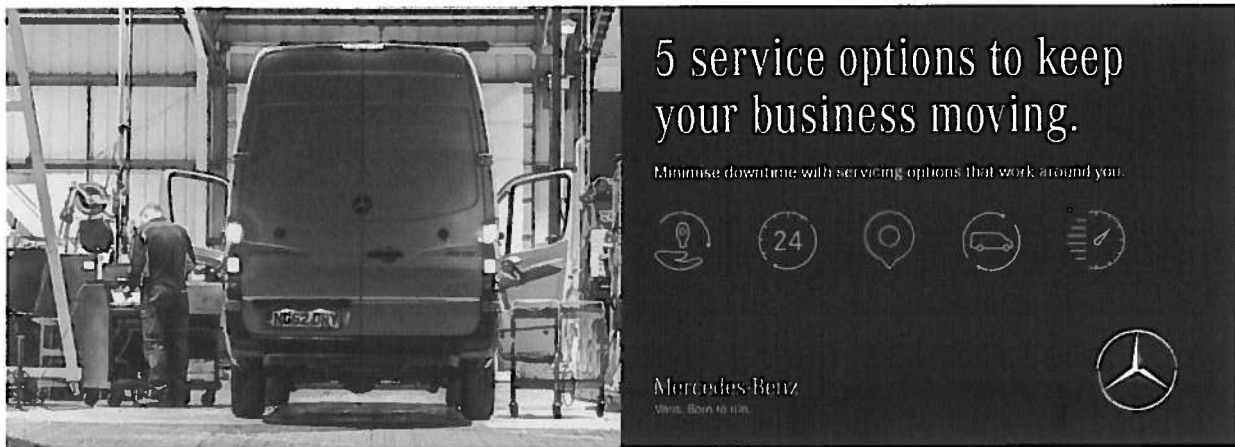
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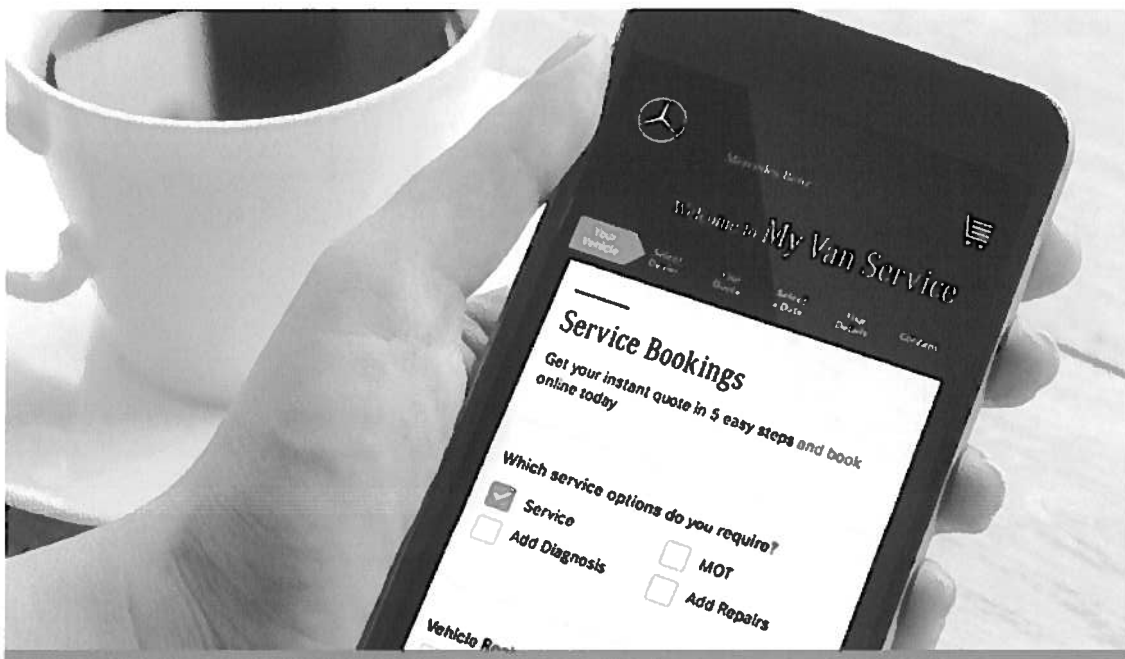
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> Request a call back

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> Speak to a Service Advisor

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<

From: [REDACTED]@cac.mercedes-benz.com <[REDACTED]@cac.mercedes-benz.com>

Sent: 17 November 2017 13:59

To: shambe [REDACTED]

Subject: Mercedes-Benz CS-1-13551557689

shambe [REDACTED]

15th November 2017

Ref: CS-1-13551557689

Dear Mr Beg

Mercedes-Benz Model: Vito111KB/ K4X2 3200

Chassis No: [REDACTED]

Registration: [REDACTED]

Thank you for contacting Mercedes-Benz Customer Service. I am writing to you further to the conversation you had with my colleague on the 10th November 2017 in which you discussed the issues you were having with the Rear Wheel Steering Actuators on the above van.

I have spoken to our Technical Team, Rygor Heathrow and Penso who have advised that it is no longer possible for Mercedes-Benz to make or source Rear Wheel Steering Actuators for this model of Vito. This is due to the company involved with its conversion and repair no longer trading as an official Mercedes-Benz Vans Retailer. The only option for having the RWS Actuators repaired by an official Mercedes-Benz Retailer would be to have the latest version of RWS Actuators fitted, which would require replacing of the Electronic Control Unit, Wiring loom, RWS Actuators and updating of software. The cost of these works would be considerable and as far as we are aware at Mercedes-Benz customer Service has to date not been carried out on any EU4 Vito.

The EU4 Vito London Taxi, was provided to KPM as a Traveliner and converted by them into the Mercedes-Benz London EU4 Taxi. Though KPM no longer trade as an official Mercedes-Benz Vans Retailer, they do still operate as KPM Automotive. As such it may be possible for them to source parts for, and repair the Rear Wheel Steering Actuators for the Mercedes-Benz EU4 Vito London Taxi.

If you are unhappy with this final decision or feel this matter is unresolved, you can seek advice with an CTSI Certified Alternative Dispute Resolution provider. We are prepared to engage with The Motor Ombudsman to resolve your dispute. Further details can be found at www.themotorombudsman.org, or alternatively their telephone number is 0345 241 3008 selecting option 1.

The Motor Ombudsman | Motor Industry Codes of Practice

www.themotorombudsman.org

The Motor Ombudsman is the UK's government-backed, self-regulatory body for the motor industry. Find a garage you can rely on and resolve motoring disputes.

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And please let us know how we're doing so we can continue to improve how we serve you:
www.dccac.net/qm/ukencsw (reference number: 1-13551557689)

Yours sincerely

Champeau, Jean

From: [REDACTED]@daimler.com
Sent: 14 December 2017 14:53
To: Champeau, Jean
Subject: Re: Vito rear wheel steering [OFFICIAL]

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Hi Jean,

Thank you for the email. Apologies for the delay in response, I have tried to call a number of times but the number keeps cutting me off after the welcome to Reading Council announcement??

This is more complicated than we originally believed. All components for the Mercedes-Benz Vito are available. The rear wheel steer however, does seem to have gaps in supply due it's alternate manufacture and origin.

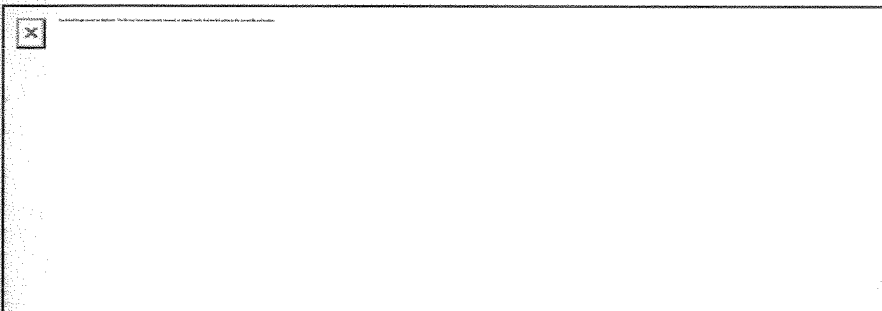
We do have circa 1,400 working EU4 London Taxis all of which have to have functioning rear steer so it is possible to maintain them, but it does seem as if a number of components are being refurbished to maintain long term function.

We are now close to a different solution, on the back of your enquiry, to creating an alternative supply for modified components from another company. This may be available in time for your meeting but at this stage requires agreement by a number of parties.

Apologies Jean, I wish it were more concrete at this stage but will keep you posted.

Kind regards,

Nick Williams
District Manager
Mercedes-Benz Vans UK Ltd
Mobile [REDACTED]
Email: [REDACTED]@daimler.com



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