

SWT Licensing Committee - 21 March 2022

Present: Councillor Mark Lithgow (Chair)

Councillors Janet Lloyd, Simon Coles, Andrew Hadley, John Hassall, Ray Tully, Brenda Weston and Keith Wheatley

Officers: Brad Fear and Clare Rendell

Also Present: Councillors Anthony Trollope-Bellew and Marcus Kravis

(The meeting commenced at 6.15 pm)

17. Apologies

Apologies were received from Councillors C Palmer, A Trollope-Bellew and L Whetlor.

18. Minutes of the previous meeting of the Licensing Committee

(Minutes of the meeting of the Licensing Committee held on 20 December 2021 circulated with the agenda)

Resolved that the minutes of the Licensing Committee held on 20 December 2021 be confirmed as a correct record.

19. Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Minute No.	Description of Interest	Reason	Action Taken
Cllr S Coles	All Items	SCC & Taunton Charter Trustee	Personal	Spoke and Voted
Cllr M Lithgow	All Items	Wellington	Personal	Spoke and Voted
Cllr J Lloyd	All Items	Wellington & Sampford Arundel	Personal	Spoke and Voted
Cllr R Tully	All Items	West Monkton	Personal	Spoke and Voted
Cllr B Weston	All Items	Taunton Charter Trustee	Personal	Spoke and Voted

20. Public Participation

No members of the public had requested to speak on any item on the agenda.

21. **Proposed amendment to local Taxi Policies to allow for the licensing of motor tricycles as private hire vehicles**

During the discussion, the following points were raised:-

- Councillors queried whether the age and height restrictions had been used by another council.
The Licensing Officer advised that the height restriction was guidance given by the manufacturer due to the design of the vehicle and for safety reasons. Age restrictions had been used by another council and it was based on the understanding that the use of the vehicle would need a level of responsibility as they had to undertake a safety debrief and understand the importance of wearing safety clothing.
- Councillor K Wheatley proposed an additional recommendation which was duly seconded by Councillor M Lithgow and approved by the Committee:-
 - Agreed to amend the age and height restrictions as follows:
If a customer was under 14 years of age but was over 165cm in height, they would be permitted to travel if accompanied by an adult (who was over 165cm in height)
- Concern was raised that the vehicles would not be accessible for different types of users.
- Councillors queried whether the vehicles could be adapted so that they were accessible.
The Licensing Officer would investigate into what options might be available for adaptations.
- Concern was raised on the safety of the vehicles whilst driving along rural roads.
The licensing Officer advised that the vehicle was built for road use, so it should adhere to road safety regulations.
- Councillors queried what the maximum speed would be for the vehicles.
The Licensing Officer advised that they needed to adhere to the speed limits on the roads as per other road users.
- Councillors queried whether the operators would have safety gear in various sizes as per their guidance.
The Licensing Officer advised that it was for the operator to ensure that they had safety gear available for all their users, as it was part of their responsibility and if users did not wear any safety gear, it would be a breach of their licence.
- Councillors queried how many licences the officer anticipated to receive.
The Licensing Officer advised that there was no limit at this stage as it was a trial scheme.
- Councillors requested clarification that the tricycle operator would be dealt with in the same manner as taxi drivers, which meant that if they had any previous offences, that they would be taken to a sub-committee hearing.

Resolved that the Licensing Committee:-

- 2.1 Considered the observations of officers and the appropriateness of proposed additions to the policy, as well as proposed conditions, measured against the legal requirements of Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 and determined if the

proposed amendments should be applied, thereby allowing motor tricycles to be licensed as private hire vehicles in our area.

2.2 Considered and approved the addition of the proposed wording attached as Appendix 5 to existing local taxi policies, both for the former West Somerset area and the former Taunton Deane area.

2.3 Agreed to amend the age and height restrictions as follows:

- If a customer was under 14 years of age but was over 165cm in height, they would be permitted to travel if accompanied by an adult (who was over 165cm in height)

22. **Licensing Update Report**

Resolved that the Update Report was noted.

23. **Street Trading Policy Working Group**

Resolved that the Licensing Committee agreed to defer the item until the next meeting of the Licensing Committee as the report author was not present.

(The Meeting ended at 7.15 pm)