SWT Licensing Sub Committee

Wednesday, 17th August, 2022, 2.00 pm

The John Meikle Room - The Deane House

Somerset West and Taunton

SWT MEETING WEBCAST LINK

Members: Simon Coles, Janet Lloyd (Deputy Chair) and Brenda Weston

Agenda

1. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

2. Application for a historical vehicle to be licensed as a private hire vehicle

(Pages 3 - 34)

ANDREW PRITCHARD CHIEF EXECUTIVE

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Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

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Any requests need to be received by 4pm on the day that provides 1 clear working day before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Friday prior to the meeting.

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The meeting rooms, including the Council Chamber at The Deane House, are on the first floor and are fully accessible. Lift access to The John Meikle Room (Council Chamber), is available from the main ground floor entrance at The Deane House. The Council Chamber at West Somerset House is on the ground floor and is fully accessible via a public entrance door. Toilet facilities, with wheelchair access, are available across both locations. An induction loop operates at both The Deane House and West Somerset House to enhance sound for anyone wearing a hearing aid or using a transmitter.

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Somerset West and Taunton Council

Licensing sub-committee – Wednesday 17th August 2022

Application for a historical vehicle to be licensed as a private hire vehicle.

This matter is the responsibility of Cllr Andrew Sully

Report Author: Brad Fear – Licensing Officer

1 Executive Summary / Purpose of the Report

1.1 Members are asked to consider an application to grant a licence for a historic motor vehicle—a Morris 12/4, first registered in 1939—to operate as a private hire vehicle in the former West Somerset district area.

2 Recommendation

- 2.1 Members consider all the elements of the vehicle application, the observations of officers and the appropriateness of proposed exemptions to policy, as well as proposed conditions, measured against the legal requirements of Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 and determine whether to approve the application to issue a private hire vehicle licence for the specified historic motor vehicle.
- 2.2 Members may consider the following options with regard to this application:
 - * to grant the application to issue a private hire vehicle licence under the standard private hire vehicle licence conditions.
 - * to grant the application to issue a private hire vehicle licence, subject to additional conditions at Members' discretion.
 - * to refuse the application to issue a private hire vehicle licence for the proposed vehicle.
- It is the recommendation of the Licensing Officer that Members consider granting the application for a private hire vehicle licence for the vehicle in question. As Members will see in the full report below, the Licensing Officer is satisfied that the applicant has invested a significant amount into the vehicle to make it fully compliant; passing an MOT test and local council plate test to meet safety standards. Furthermore, the application itself is for a private hire vehicle, as opposed to a hackney carriage taxi—meaning that this vehicle would only be legally permitted to take pre-booked fares and would not be permitted to operate from taxi ranks or to be hailed down by customers. Further details about the applicants proposed business can be found in the full report below. As noted in the report below, the applicant has confirmed a quote for motor insurance for this vehicle and would be looking to formally commence this pending confirmation that the

be licensed. As such, we would recommend that a licence be granted, subject to the applicant submitting evidence of this motor insurance policy having commenced (this is a statutory requirement for all licensed hackney carriage or private hire vehicles.

3 Risk Assessment (if appropriate)

3.1 The matters to which this report relates does not impact on any of the issues identified within the Corporate and Function Risk Registers.

4 Background and Full details of the Report

- 4.1 The licensing team of Somerset West and Taunton Council are responsible for issuing licences for vehicles in the local area being utilised as either hackney carriages (taxis) or private hire vehicles, in accordance with Part II of Local Government (Miscellaneous Provisions) Act 1976.
- 4.2 Additionally, local policies/regulations were created and implemented by both the former Taunton Deane Borough Council and West Somerset Council, imposing additional requirements, pre-requisites and conditions upon the licensing of vehicles as either hackney carriages or private hire vehicles. Following the creation of Somerset West and Taunton Council, these two separate policies for the former Taunton Deane and West Somerset areas remain in force. As such, vehicles in the district remain licensed to one of these two areas (i.e. either licensed to operate from the former Taunton Deane area or from the former West Somerset area).
- 4.3 The above-mentioned local policies stipulate a number of general vehicle specifications which are expected to be met by any vehicle being proposed to operate as a licensed vehicle. In the case of the former West Somerset area, this falls under Appendix C (in particular, pages 32 and 33) of the local policy/regulations (which I have attached to this report as **Appendix 1**).
- 4.4 Condition 6.5 of the policy stipulates that 'a vehicle will not generally be licensed as a Hackney Carriage/Private Hire vehicle once it has passed the age of 10 years old from the date registered as new in the vehicle registration document' and that proprietors wishing to licence vehicles outside of this requirement then 'application must be made to the Council's Licensing Panel detailing their reasons for dispensation from the requirements'. This allows for applications to be assessed on a case-by-case basis.
- 4.5 With regard to the current vehicle age restrictions, the Licensing department has been asked to consider aligning the age restrictions across the two area policies (i.e. the former Taunton Deane area and the former West Somerset area) in order to make it fair for all proprietors operating in Somerset West and Taunton. Restrictions are currently tighter in the West Somerset area. Since the formation of SWT Council, the aim has always been to create one policy so that all rules are the same, across the district. So, the first reason for changing the policy is to do exactly that.
- 4.6 Furthermore, the Department for Transport's (DfT) 'Taxi and private hire vehicle licensing: best practice', published in 2010, states "It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles for example, twice-yearly tests for vehicles more than five years old."

Page 4

- 4.7 This best practice is in the process of being revised, but the current draft continues to encourage councils to move away from age restrictions, placing greater emphasis on things like emissions policies and drivers conducting their own checks.
- 4.8 Upon application for the grant or renewal of a vehicle licence, the applicant must produce evidence that the vehicle is safe and in suitable condition to be used for hire, currently in the form of MOT and 'Plate Test' certificates. The Licensing Department believes greater importance should be placed on this, than the age of the vehicle.
- 4.9 The Licensing Managers and Leads across the various Somerset district councils (Mendip, Sedgemoor, South Somerset and SWT) are planning to create a single policy for Somerset, after Somerset Council is created on the 1st of April 2023 (replacing the district councils and county council). This policy will, by and large, follow all existing best practice guidance published by central government or any other specialist group or body e.g. the Institute of Licensing. Age restrictions across the 4 districts currently vary. Mendip District Council is currently the only Somerset authority not to have an age restriction for vehicles. As such, Somerset West and Taunton Council are currently in the process of consultation on the removal of age restrictions on hackney carriages and private hire vehicles.
- 4.10 An application has been received relating to the licensing of a historic car—a Morris 12/4, with a first registration year of 1939. With this application, the applicant—Mr Richard Growden—outlined his proposal to operate a business of informative and structured tours over Exmoor, in the comfort of a classic motor vehicle. He also outlines a desire to use the historic vehicle as a potential bridal car for wedding bookings. His full letter/proposal is attached as **Appendix 2**, and the application and connected documentation attached as **Appendix 3**. A scanned picture of the vehicle in question can be found attached as **Appendix 4**.
- 4.11 Given the age of this particular vehicle (over eighty years old), a dispensation of the maximum vehicle age of ten years is required.

5 Main Issues to consider

- 5.1 In order to ensure safety compliance, Mr Growden has invested substantially in works to the Morris 12/4 vehicle, to ensure it meets the legal requirements, as well as those required to pass the Council's "plate test" with one of the Council's nominated testing stations (this 'plate test' exists to ensure vehicles are compliant with Council policy safety standards). This has included the installation of new seatbelts, a full service, and the refabrication of the car's water pump to ensure it meets the necessary MOT emission requirements. In total, Mr Growden has invested a little over £3,500 in making these changes and had been in regular contact with the Licensing department throughout the process, demonstrating a sincere commitment to vehicle compliance and safety.
- 5.2 Following works outlined above, the car has passed both a MOT test and the Council's plate test at a council-nominated garage (in this case, Beaver's Garage in Minehead). Copies of these pass certificates are attached under **Appendix 3**.
- 5.3 Licensed private hire vehicles are also required to be insured for private hire use. Mr Growden has confirmed an annual quote has been obtained for this via Clegg Gifford, relating to a policy underwritten by Tradex Insurance. E-mail evidence of this is attached as **Appendix 5**. Mr Growden has not formally commenced this policy yet, as he wished to ensure that the vehicle would be permitted the dispensation before

proceeding with this investment. In order to support the applicant, the Licensing felt it was appropriate to forego any requirement for the insurance to be in effect before the applicant could be satisfied that this type of vehicle would be licensed by Somerset West and Taunton Council. The Licensing Officer would therefore expect—should Members be satisfied to grant the dispensation for this application—confirmation of this insurance policy formally being in place before a licence or vehicle plate would be issued. Should evidence of the commencement of valid motor insurance not be provided following approval of this dispensation, then a private hire vehicle licence will be refused.

6 Links to Corporate Aims / Priorities

While the granting of this application does not directly link to corporate aims, it is a statutory requirement of the Licensing Authority to ensure that all licensed vehicles are legally compliant and safe to be operated for the purposes of transporting members of the public.

7 Finance / Resource Implications

- 7.1 None.
- 8 Legal Implications
- 8.1 No legal implications have been identified.
- 9 Environmental Impact Implications (if any)
- 9.1 None identified
- 10 Safeguarding and/or Community Safety Implications (if any)
- 10.1 None identified.
- 11 Equality and Diversity Implications (if any)
- 11.1 There are several protected characteristics identified in the Equality Act 2010, which are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation and members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision-making process. The three aims the authority must have due regard for are:
 - The eliminate of discrimination, harassment, victimisation.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share them.
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share them.
- 11.2 No equality and diversity implications were identified.
- **12** Social Value Implications (if any)
- No social value implications were identified 6

- **14** Partnership Implications (if any)
- 15 No partnership implications were identified.
- 16 Health and Wellbeing Implications (if any)
 - 16.1 Through effective regulation, confidence in private hire businesses can be maintained and public safety insured.
- 17 Asset Management Implications (if any)
 - 17.1 No asset management implications have been identified.
- **18 Consultation Implications** (if any)
 - 18.1 None identified.
- 19 Scrutiny Comments / Recommendation(s) (if any)
 - 19.1 Not applicable.

Democratic Path:

- Scrutiny / Corporate Governance or Audit Committees No
- Cabinet/Executive No
- Full Council No

Reporting Frequency:	X Once only	☐ Ad-hoc	Quarterly
	□ Twice-yearl	y □ Aı	nnually

List of Appendices

Appendix 1	West Somerset area hackney carriage and private hire policy – Private Hire
	Vehicles
Appendix 2	Business proposal/letter from the applicant
Appendix 3	Application for a private hire vehicle licence, including MOT and Council plate
	test pass certificates.
Appendix 4	Scanned photo of Morris 12/4 motor vehicle (and additional vehicle information
	from Mr Growden)
Appendix 5	E-mail correspondence between applicant and Clegg Gifford (regarding motor
	insurance quote).

Contact Officers

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VEHICLE SPECIFICATIONS UNDER EXISTING 'WEST SOMERSET' TAXI AREA POLICY:

APPENDIX 'C

6.0 VEHICLES - REGULATIONS AND CONDITIONS

Unless otherwise stated, these regulations/conditions apply to both Hackney Carriage and Private Hire Vehicle licensing.

General Vehicle Specification:

- 6.1 All new Hackney Carriage licence plates issued after the 10th May 2006 shall only be issued to disabled complaint vehicles, to the following specification:
 - a) London style cab, or similar with full wheelchair access facilities (without the requirement to remove seats to obtain wheelchair compliance) such vehicles to be defined as a purpose built hackney carriage with side loading wheelchair access and which has either:
 - i) achieved National Low Volume Type Approval in its final format; or
 - been fully tested to M.1. category, such testing having been witnessed by the Vehicle Certification Agency.
 - b) Vehicles which have been confirmed to comply with these specifications, and have as a result become licensed, shall remain compliant with these standards throughout the duration of the licence.
 - c) Any transfer of Hackney Carriage Vehicle plate in respect of wheelchair accessible vehicles received after the 15th May 2006 shall only be transferred to wheelchair accessible vehicles conforming to the above regulation.
- 6.2 In view of the potential confusion to the public by virtue of the fact that such vehicles may lead people to believe that the vehicle is a Hackney Carriage, London Taxis/vehicles of a similar design are prohibited from being granted a Private Hire Vehicle Licence in West Somerset.
- 6.3 Any vehicle presented for licensing for the first time should not be more than 3 years old from the date registered as new in the vehicle registration document for a saloon type vehicle, or 4 years old for a purpose built wheelchair accessible vehicle (but see 6.4 below) and must not require or have required the removal of seats to comply with the Regulations. Any application to dispense with the requirement of this Regulation in relation to the removal of seats (whether in the past, present or future) will be made to and considered by the Licensing Panel of the Council and will be determined on a case by case basis and according to the particular circumstances of that case.
- 6.4 Vehicles up to 5 years of age may be considered by the Licensing Officer where the following criteria can be met:
 - No more than average mileage (calculated at 12,000 miles per year)
 - · Good bodywork (no dents, scratches or evidence of accidents)
 - Evidence of complete full service history
 - Compliance in all other respects with the regulations.
- 6.5 A vehicle will not generally be licensed as a Hackney Carriage/Private Hire vehicle once it has passed the age of 10 years old from the date registered as new in the vehicle registration document.
- NOTE: If a vehicle proprietor wishes to licence a vehicle outside of the requirements of 6.2 (other than where 6.4 applies) or 6.5, application must be made to the Council's Licensing Panel detailing their reasons for dispensation from the requirements.

- 6.6 All vehicles shall have an engine size not less than 1250cc.
- 6.7 All vehicles, including Multi Purpose Vehicles, must have sufficient safe and suitable access and egress from the vehicle for the driver and passengers, excluding the rear exit. Access to and egress from the vehicle must at all times be available in respect of each seat without the need to move or adjust any seating.
- 6.8 The licensed vehicle shall be so designed that it shall:
 - a) have a minimum of 4 doors
 - b) provide seatbelts for all passengers
 - provide a minimum of 16 inches/406mm of clear space width per passenger seat measured along the narrowest part of the seat per passenger.
 - d) provide a minimum of 9 inches/229mm of clear knee room per passenger, measured from the front portion of the passenger seat to the rear of the seat in front
 - e) provide adequate means of heating and ventilation for all passengers
 - f) provide drivers mirrors on the near and offside
 - g) not be a convertible/cabriolet type vehicle
 - be right hand drive only

Licence Plates

- 6.9 At all times when plying for hire, or when hired, the Hackney Carriage/Private Hire Plates issued by the Council shall be securely fixed and displayed as follows:
 - the small licence plate to be clearly displayed inside the vehicle on the left hand side of the vehicle windscreen, and;
 - the large licence plate shall be displayed on the outside rear of the vehicle where it is clearly visible to members of the public.
- 6.10 The Hackney Carriage/Private Hire licence plates shall be, at all times, clearly visible and maintained in a clean, tidy and legible condition.
- 6.11 In the event of loss of a plate, the proprietor shall report the loss to the Police and Local Authority. A replacement plate may be issued on payment of the relevant fee.
- 6.12 Trailers must also display a current licence plate when being used.
- 6.13 The licence plates remain the property of the Council at all times and shall be returned to the Council on expiry, or within 7 days of a notice of suspension, revocation or refusal to renew the licence having been served. The Council reserves the right to require additional/alternative licence plates to be displayed at their discretion.

Signage

- 6.14 No markings, (excluding original signage provided as part of the fabric of the vehicle by the manufacturer), shall be displayed on or from the vehicle (including the rear and front windows) other than markings authorised by the Council as follows:
 - a) front driver and front passenger doors; and
 - b) rear (boot) of vehicle.

- Please give details of the sign(s) you wish to display. These should be submitted with the licence application or within 14 days of proposed use to ensure full approval
- 6.15 On Private Hire Vehicles, the display of the word 'TAXI' or 'CAB', whether in the singular or plural and whether alone or as part of another word or the words 'FOR HIRE' or any form of wording which in any way suggests that the vehicle on which it is displayed is presently available to take up any passengers wishing to hire it, or would be so available if not already hired, is prohibited.
- 6.16 Roof signs may be displayed on Private Hire Vehicles, provided that:
 - the wording of the roof sign states only "Advanced Bookings Only" on the front of the sign with the telephone number of the operating company on the reverse; and
 - the sign is white to the front and red to the rear, with any wording in black lettering;
 and
 - the sign complies at all times with any necessary legislation including any vehicle lighting regulation requirements, if and when illuminated; and
 - d) the sign has been approved in writing by the Council prior to its first display.

Taximeters

Private Hire Vehicles do not need to be fitted with a taximeter, but if one is fitted, the regulations below apply:

- 6.17 At all times when the vehicle is in use as a hackney carriage/private hire vehicle, it shall be provided with a taximeter, so constructed, attached and maintained as to comply with the following requirements:
 - When the taximeter is turned on, the fare on the taximeter shall be clearly visible to passengers.
 - b) the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practical for any person to tamper with them.
 - c) The proprietor shall not permit any person to tamper with any of the seals on the taximeter.
- 6.18 On each occasion that the vehicle is hired, the driver/proprietor shall ensure that the meter is turned on at the commencement of the journey. The driver/proprietor may charge less than the fare shown on the meter but not more.

Fare Card

6.19 At all times when the vehicle is in use as a licensed vehicle, a current fare card showing the fare which may be lawfully charged shall be displayed by fixing it to the interior of the vehicle, in such a position and manner that the letters and figures shall be plainly visible and legible at all times to persons being carried therein.

Drivers

6.20 No person is authorised to drive the vehicle other than a person currently licensed with the Council as a Hackney Carriage/Private Hire vehicle driver and wearing the official badge (subject to any specific exemption granted by the Council).

Renewal

- 6.21 No licence will be eligible for renewal unless:
 - during the licensing period for which it is granted the licence plate is affixed to an approved vehicle in the proprietorship of the original applicant; and
 - all appropriate application forms and fees and any necessary inspection forms are received at least 7 days prior to the renewal date.

The vehicle can only be re-licensed by the current/former holder of the licence.

- 6.22 If there will be a delay in renewing the licence, the Council must be notified in writing at least 7 days before the expiry of the existing licence, such notification to include a written undertaking not to operate the vehicle until a new licence has been issued.
- 6.23 If the above condition is not met and a letter issued by the Council confirming the arrangement, any late application to renew the licence may be treated as a new application and will not automatically be renewed; a formal written warning will be issued to the proprietor in this respect. Offenders run the risk of their licence not being renewed.
- 6.24 The licence plate must be returned to the Council within 7 days if the vehicle licence expires. Failure to do so will render the Licensee liable prosecution and a fee may be charged.
- 6.25 Any applications for the renewal of a Hackney Carriage/Private Hire Vehicle Licence submitted after the deadline for renewals will be referred to the next available Licensing Panel for consideration and will not be licensed to operate in the meantime.
- 6.26 In the event of a vehicle being found to be operating after the existing licence has expired, any subsequent application for the renewal of the licence may be refused.
- 6.27 In the event of the death of an owner of a Hackney Carriage/Private Hire Vehicle Licence during the period of the licence, the right to renew the licence will automatically be transferred to the owner's personal representative.

Transfer Of Ownership

- 6.28 Any transfer in the ownership or part-ownership of the licensed vehicle must be notified to the Council, by the person named on the application form as owner of the vehicle, in writing, within 14 days of such transfer taking place, specifying the name and address of the person to whom the vehicle has been transferred.
- 6.29 The vehicle licence will then be transferred if the new owner requests the transfer in writing, on the appropriate form, and pays the appropriate fee.

Transfer Of Vehicle Licence

6.30 Licenses cannot be transferred between vehicles. Every vehicle must have its own licence application approved before it can be used as a Hackney Carriage/Private Hire vehicle.

Damage

6.31 The proprietor must notify the Council of any accident to the vehicle materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers within 72 hours (3 days) of the accident occurring.

Use Of Temporary Replacement Vehicle

- 6.32 In the event of a licensed vehicle being unavailable for a few days, i.e. due to an accident, repairs being carried out etc, if the licensee wishes to use an unlicensed vehicle as a temporary replacement s/he must first obtain permission from the Council, such permission not to be unreasonably withheld, subject to the following conditions being met:
 - that the replacement vehicle is in a safe mechanical condition current MOT certificate to be provided;
 - that the replacement vehicle is inspected, at the applicants expense, by the Councils nominated inspecting garage and the appropriate Certificate of Compliance submitted to the Council;
 - that the insurance company agree to provide cover for the replacement vehicle insurance document confirming this must be provided;
 - d) that it is only for a maximum of 14 days;
 - that any appropriate information relating to the replacement vehicle, such as registration number, type of vehicle etc is supplied, together with the length of time it is to be used;
 - f) a temporary licence/plate will be issued, to be collected from the Council and displayed in the back window of the temporary vehicle. The licence/plate to be returned to the Council at the end of the temporary period. A charge of £25.00 will be levied if the plate is not returned.
- 6.33 If the arrangement is to last longer than a maximum of 14 days, the applicant must notify the Council, in writing.

Inspections/Stop Notices

- 6.34 Any vehicle which is the subject of an application for a Licence will be examined (including mechanically) by a duly authorised Officer of the Council prior to the issue or renewal of a Vehicle Licence and on such other occasions as necessary and the applicant must take the vehicle in a clean condition, together with the Certificate of Compliance for the vehicle to the place appointed for such examination.
- 6.35 In cases of applications for renewal of a Licence, the vehicle must be presented for compliancy testing not less than 7 days and not more than 28 days prior to the date of renewal of the Licence in order for licences to be reissued at the commencement of the new licensing period unless the vehicle has been satisfactorily inspected within the last 6 months in which case the Council will notify the applicant of the date the next inspection is due.
- 6.36 The Licensee shall, if requested by an authorised Officer of the Council or Police Officer, produce for inspection the Vehicle Licence, Certificate of Insurance and Certificate of Compliance.
- 6.37 An authorised Officer of the Council or any Constable may at all reasonable times inspect and test the vehicle and taximeter to ascertain their fitness. In the event of serious defects being found, the Hackney Carriage/Private Hire licence plate will be removed and a Stop Notice issued to the Driver/Proprietor of the vehicle; such Notice to remain in force until the necessary remedial works have been carried out.
- 6.38 The offences for which the Stop Notice would apply are as follows:
 - Contraventions of the Road Vehicle (Construction and Use) Regulations 1986.

- Serious bodywork defects.
- The interior condition of the vehicle failing to meet the appropriate standards as regards cleanliness
- d) Missing and/or faulty vehicle equipment, i.e. spare wheel, jack, brace, fire extinguisher.
- e) Hackney Carriage/Private Hire vehicle plate insecurely fitted.
- Defects with the taximeter.

Inspections During Course Of Licence

- 6.39 In the event of an allegation being received during the period of the licence that a vehicle/taximeter is not of a satisfactory standard/operating correctly, the licensee may be required by the Council to undertake a further inspection at the Councils nominated inspecting garage.
- 6.40 If the vehicle fails to pass an inspection test, the costs of the test will be borne by the licensee.
- 6.41 Any vehicle failing to pass an inspection at the garage must not be operated until such time as the vehicle has been reinspected and a Certificate of Compliance issued, unless prior permission has been obtained from the Council.

NOTE: The vehicle must be presented for inspection within seven days if the licensee is requested to do so by the Council; failure to arrange/pass an inspection within the seven day period may mean that the matter would have to be reported to the next available Licensing Panel.

Trailers

- 6.42 Trailers may only be used with the prior approval of the Council and subject to the following requirements:
 - a) Trailers shall be purpose built luggage trailers of commercial manufacture.
 - b) Trailers must be presented at the Councils inspecting garage for inspection at the time the vehicle undergoes its plating test. An additional charge will be made by the inspecting garage
 - c) Trailers may only be issued in connection with private hire bookings and cannot be used for plying for hire on a rank.
 - d) Trailers must at all times comply with the requirements of Road Traffic legislation in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.
 - e) The vehicle insurance must include cover for towing a trailer.
 - Trailers must not be left unattended anywhere on the highway.
 - g) The speed restrictions applicable to trailers must be observed at all times.
 - A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.

 Trailers must display a valid trailer plate issued by the authority, which must be fixed to the rear of the trailer, due to the vehicle plate being obscured from view by the trailer when in use.

Change Of Address

6.43 Any change in the address at which the vehicle is usually kept must be notified to the Council, in writing, within 7 days of the change of address.

Proprietor Responsibilities:

- 6.44 At all times, the proprietor shall:
 - provide sufficient means by which any person in the carriage may communicate with the driver;
 - cause the roof or covering to be kept watertight;
 - provide any necessary windows and a means of opening and closing not less than one window on each side;
 - cause the seats to be properly cushioned or covered, clean and free from any tears, damage grease or any other contaminants';
 - e) ensure the floor is provided with a proper carpet, mat or other suitable covering;
 - cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - g) provide proper and sufficient accommodation for luggage and a means of securing such luggage;
 - h) provide a fire extinguisher that meets the following specification:
 - of an approved type, manufactured to BS-EN3
 - · minimum of 1k powder
 - securely mounted within a retaining bracket
 - serviced annually to BS-5306-3
 - the extinguisher to be accompanied with a Certificate of Conformity valid for 12 months from the date of the annual service
 - carry a service record and be fitted with an anti-tamper tag
 - marked in permanent marker with the registration number of the vehicle in which it is fitted.

A label giving the location of the extinguisher to be displayed if the extinguisher is not immediately visible to driver and passengers

The certificate should be provided at each renewal.

- ensure that the vehicle is in a clean and tidy condition at all times;
- j) carry a suitable First Aid kit; (Guidance is provided at appendix 'F')
- ensure the body shell, including doors, panels, wings, bumpers and interior floor area are maintained in good condition, free from rust, holes, broken metal or any other visible damage.

- ensure the paintwork is maintained in a uniform colour as recorded on the registration document.
- ensure floor coverings are kept in good condition, clean and free from any contamination.
- ensure the interior trim is kept in good condition, clean and free from any tears, damage, grease or any other contamination.
- ensure door hinges are kept in good order, all working and doors 'seat' correctly when closed.
- ensure windscreen and windows are kept in good clean condition and free from damage.
- ensure side windows and winders are kept in good order and all working correctly.
- ensure spare wheel, brace and jack are kept in good condition and are carried in an easily accessible position on all vehicles at all times.
- ensure the boot or luggage compartment is kept clean and free for the accommodation of passenger's luggage.
- t) ensure the engine is kept free from oil leaks

Stretch Limousines

- 6.45 Stretch limousines may be licensed as a Private Hire Vehicle for up to 8 passengers only, subject to the following additional conditions:
 - No passengers to be carried in the front of the vehicle.
 - b) All seats to be fitted with seat belts conforming to the current UK standard specification and be appropriate to the seating position.
 - c) All vehicles must either meet the European Whole Vehicle Approval standard, the M.1. passenger vehicle requirements, or have a Single Vehicle Approval Test Certificate issued by the Vehicle Inspectorate Executive Agency, and QVM or MVM certification must be provided.
 - d) Vehicle must be fitted with clear glass in the drivers compartment and may have tinted glass in the side and rear windows, subject to the rear window allowing a minimum of 70% light transmission.
 - All limousines to be tested at the Councils nominated testing garage for limousines.

Stretch Limousines with 9 or more passengers are licensed by the Traffic Commissioners.

Legal Requirements

6.46 Apart from the specific conditions set out above, the grant of a Hackney Carriage/Private Hire Vehicle Licence is subject to the provisions of the Town Police Clauses Act 1847 and of Part II of the Local Government (Miscellaneous Provisions) Act 1976, any other relevant statutory enactment and to such other terms and conditions from time to time specified by the Council. Attention is also drawn to any conditions, which must be attached to the grant of a Licence.

6.47 Vehicles must comply with Sections 32 and 37 of the Disability Awareness Act 1995 and the Regulations made under the Act, where they apply. (The relevant extracts from the Act and Regulations can be obtained from the Council, on request).

NOTE: It is an offence to operate a vehicle without a current Licence for Hackney Carriage/Private Hire vehicle hire purposes. It is also an offence for an unlicensed driver to drive a licensed vehicle. Offenders may be liable to prosecution and/or the revocation of their licence. Insurance cover may be invalidated in the event of an accident.

If you are in any doubt, contact the Council.

ANY PERSON WHO:

- wilfully obstructs an authorised Officer or Police Officer acting in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town Police Clauses Act 1847;
- without reasonable excuse fails to comply with any of the requirements properly made to him by such Officer or Police Officer under Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or the Town Police Clauses Act, 1847;
- c) without reasonable cause, fails to give such an Officer or Police Officer any other assistance or information which he may require for the performance of his functions under Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or the Town Police Clauses ct, 1847, shall be guilty of an offence.

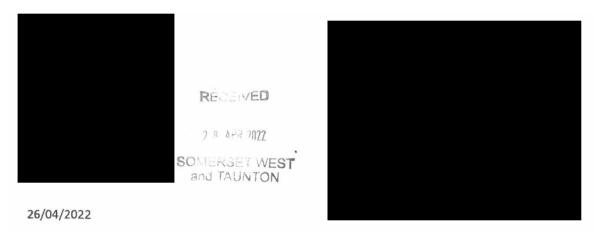
These conditions shall apply to Hackney Carriage/Private Hire vehicles licensed by West Somerset Council.

Revocation or Modification of Conditions

The Council reserves the right to waive any requirements of these conditions at its absolute discretion.

The Council reserves the right to amend or add to any of the foregoing conditions, and notice thereof will be served on all licensees.

BUSINESS PROPOSAL/LETTER FROM APPLICANT



Hackney Carriage and Private Hire

Vehicle Divers Licence LN0563
Badge No 027
Private Hire Vehicle Licence Run Out Date 30.10.2020
Vehicle Plate No P020
Registered Vehicle on this: Land Rover Defender M235 HVC

Reference A - Request a Reclassification of Business Structure Vehicle

Dear Jin madum -

My private hire licence enables me to operate my safari tour business across the Exmoor National Park, which I have been doing for 14 years now.

Unfortunately, the current pandemic stopped me operating, as of March 2020. Due to Covid-19 my safari business has had to be disbanded and now I face a restructuring of the business.

There are many reasons why it is no longer feasible for my safari business to operate and this all surrounds the Covid-19 pandemic.

I will not bother to list all the particular reasons why I now find myself having to readjust my business, other than to say that being in a vehicle taking 6 different people from different parts of the country concerns me gratefully. That said I now have to readjust and re-evaluate my business and having done so put this proposition to you for your consideration.

At present the hackney carriage and private hire vehicle drivers licence is valid until the 30th October 2022 and issued by the West Somerset Council.

I now ask you to draw to your attention to the new proposition and the direction in which I wish my business to go in. I ask for your consideration and advice as well as the special dispensation that will be required to enable me to proceed with the change to my business.

My intention is to continue with the essential business of taking people across the Exmoor National Park but in this case, as an informative and structured tour of the area, with a maximum of 3 people at any one time.

I also wish to conduct the bride, and groom for weddings, to act in accordance with the private hire regulations.

I have now purchased a Morris 12/4 1939 which has now been passed by the council testing garage.

Of course, you will appreciate that I require the Licensing Authority from the Council so that I can move forward with this business plan. I understand that the procedures concerning a private hire vehicle that is generated by the Licensing Authority will be adhered to.

I have read in detail the handbook that is supplied by the Authority regarding private hire and would ask that I am given the structured consideration of special measures that the Council could give. I would therefore be grateful if you could give consideration to my request.

It is a great shame that my safari business has been a casualty of Covid 19 but I believe that although not on the same scale a new business can be forward and this is the beginning of The Discovery Tour of Exmoor.

It is imperative that I gain provisional approval so that I can restructure my business for the coming season and of course, due to purchase of the specific vehicle, this is more important than anything.

Please find attached the following documents

Registration documentation applicable to the new vehicle purchased detailing vehicle details

Application for the Grant of a licence to act as the driver of a Hackney Carriage?private Hire vehicle

Application for a licence to act as operator of Private Hire Vehicles

I understand that upon my application being considered someone from the office will contact me for immediate payment

The council testing document will be sent to you direct from Beavers garage,I would be most grateful if you could confirm that you have revived this.

I thank you for the consideration and look forward to hearing form you on this matter in due course

Yours sincerely

Richard Growden

Application for a private hire vehicle licence, including MOT and Council plate test pass certificates.



Somerset West and Taunton Council
PO Box 866
Taunton
TA1 9GS

Email: enquiries@somersetwestandtaunton.gov.uk
Website: www.somersetwestandtaunton.gov.uk
Telephone: 0300 304 8000

Local Government (Miscellaneous Provisions) Act 1976

Application for the grant of a vehicle licence

Section 1: Applic	ation type		
I am applying for:			
Please tick	☐ Private Hire vehicle	licence	
There are currently two separate licence areas within Somerset West and Taunton. Please tick to indicate which are you want the vehicle to be licensed for (you can only tick one):		☐ The Taunton Deane area; ☑ The West Somerset area.	
Section 2: Applic	ant's details		
Title:	Mr Mrs Miss D	☐ Ms ☐ Other (please state):	
Full name or company name:	RICHARD	william Gro	CACO
Home or business address:			
Post code:			
Landline phone number:		Mobile phone numl	ber:
Email address:			
Section 3: Vehicl			
Registration numb	er: HFC	821	
For vehicles to be u	oted to carry wheelchairs? sed in the Taunton Deane and and Private Hire National Insp	rea, this is in accordance with the	☐ Yes 1/2/No

Page 1 of 5

For vehicles to be used in the West Somerset area, this is in accordance with paragraph 6.1 of the West Somerset Hackney Carriage/Private Hire Regulations.	
Maximum number of passengers to be carried (excluding driver):	3

· · · · · · · · · · · · · · · · · · ·					
Section 4: Replacement vehi	icle details				
Is this application being made	s this application being made to replace an existing licensed vehicle?				
If you answered 'yes', please of section 5.	complete the rest of this section, or if you answ	wered 'no', move on to			
Registration number of vehicle to be replaced:					
Do you wish to 'transfer' the vehicle licence plate number from the vehicle that is to be replaced to the vehicle mentioned in section 3?					
If you answered 'yes', please s 'transfer':	state the number of the plate you wish to	P20			
Please indicate the reason for replacing the existing vehicle	 ☑ The existing vehicle has reached the end ☐ The existing vehicle has/is being sold; ☐ The existing vehicle is currently out of ac need of repair; ☐ Other. 	Commission (1979) (197			
If you have ticked 'other', please state the reason for replacing the existing vehicle: Carried later to this articular.					

Section 5: Data Protection - please read this section carefully

We will use the information you provide in this form and in any supporting documents to process and determine your application for a licence. The information will be held on internal databases and electronic document management systems and will be included in such public registers as the Council is required to maintain by law.

The information supplied may be passed to other bodies, including law enforcement agencies and government departments, as allowed by law. We may check you have provided, or information about you from, or provide information to, organisations such as government departments, law enforcement agencies, other local authorities, and private organisations such as banks, insurance companies or legal firms, to:

- Verify the accuracy of information;
- Prevent or detect crime; or
- Protect public funds.

We will not give information about you to anyone else, or use information about you for other purposes, unless the law allows us to, or you give us authorisation to discuss your application with specific, named individuals which you must designate in the section below.

Section 6: Name	d indiv	iduals w	ho may	contac	t the Council concerning this	application
If you wish to give	e permis	ssion for de details	up to two	individ	uals to contact the Council to di anagers will ask these individua	scuss aspects of your
If your circumstar please contact us		ange and	d you wis	h to with	ndraw permission to any individ	uals named below,
Contact 1:			- CERES ALCIL			
Title:	□ Mr	☐ Mrs	☐ Miss	☐ Ms	☐ Other (please state):	
Full name:						
Home address:						
Post code:						
Date of birth:	BB	70 14	4 1	T		
Relation ship with you e.g. partner, employ er:					7.0	
Home phone num	nber			/	Mobile phone number:	
Email address:						
Relation ship with you e.g. partner, employ er:	7					
Contact 2:		/				
Title:	□ Mr	☐ Mrs	☐ Miss	☐ Ms	☐ Other (please state):	
Full name:						
Home address:						
Post code:				1		
Date of birth:			T			
Relation ship with you e.g.						

partner, employ er:		
Home phone number	Mobile phone number:	
Email address:		
Relation ship with you e.g. partner, employ er:		

Section 7: Accompanying documents etc.

Incomplete applications will not be processed by the Licensing service and will be posted back to the applicant by second class mail.

A complete application must be accompanied by the following:

- Application fee please note that this fee will not necessarily be refunded if the application is unsuccessful or is withdrawn by you. Cheques must be made payable to 'Somerset West and Taunton Council';
- Original V5C vehicle registration certificate (log book) or bill of sale/receipt;
- · Original valid certificate of insurance or insurance cover note;
- Original MOT certificate from any VOSA approved testing station;
- Original plate test inspection sheet issued by one of the following nominated testing stations:

For vehicles to be used in the Taunton Deane area:

Hickleys Tangier MOT Centre

Wellington Motors

Taunton

Taunton

37 St James Street Taunton Vale House Chelston Business Park

Somerset

Somerset

Wellington

TA1 4AU

TA1 1JR

TA21 9JE

01823 328500

01823 214637

01823 660660

For vehicles to be used in the West Somerset area:

R Beaver Garage

R Beaver Garage

Quirke Street

Roughmoor Estate

Minehead Somerset **TA24 5TZ**

Williton Taunton TA4 4RF

01643 706892

01984 635070

C ^A						
Section 8: Declaration				all additions		
I understand that I must not drive Driver's Licence issued by Some	for hire or reward without a varset West and Taunton Counc	alid Hackney C il.	arriage/Pri	ivate Hir	е	
I also understand that to knowing application, the suspension and/o	nly or recklessly give any false or revocation of any licence gra	information ma anted, and/or p	ay lead to representation	refusal o 1.	f this	
Signed:	ad	Date: 2	200	620	1 2	2
Print name: RICHAD	George					
Payment - For internal use only	y					
The applicant has paid by: Please tick	□ Cash □ Card □ Cheque	e/Postal order				
Receipt number:						

Page 5 of 5

WEST SOMERSET COUNCIL

NOTIFICATION OF APPROVALTO PASS VEHICLE AS FIT TO BE USED AS A HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE

This is to certify that the motor vehicle of which the registration mark is ... HECSZI

Plate number	arriages/ Private Hire vehicles and at the
Make	Manis
Model	17/14
Colour of vehicle	blach
Year of manufacture	[939
Name and address of vehicle owner	Name Squies Address High Sheet Polose
Name & address of person submitting the vehicle for test if different from above	Name RICHARD GROWDEN Address.
Date of Examination	21-06-22 T-c Rudos)
Signature of Examiner	T-c Rudod)
Circulture of authorized officer	

Station name: Beaver Garages Minehead

Station address: Vulcan Road

Minehead Somerset

TA24 6DG

VIEA number: S002557

Date: 16/06/2022 Odometer: 82217 mi VRN: HFC821

Time: 15:40:01 Make: morris

morris 12 14

TOM RICHARDS

Engine Size: 1479 cc

Tester: Fuel Type:

MOT Exhaust Emissions Test Results

Model:

Non-catalyst equipped vehicle (visual check)

Result		Diagnosis	Limi	ts
			min	max
Idle Speed	=	Pass	<u></u>	-
Smoke Level	=	Pass	-	-
OVERALL RESULT EXHAUST EMISSIONS TEST		Pass		

Engine oil temperature check: Temperature gauge showed warm engine

Customer Copy

(ERVETOR)

Exhaust Emissions Results WGTS3UK V1.0.7 r20676 © Crypton 2012-2017 Analyser Serial No.4032MY19/019 Type Approval No.NMI-T11230 Signature

Page 1 of 1

MOT test certificate

Vehicle identification number

83TW16241

HFC821

Make and model **MORRIS 12/14**

Vehicle category

4 Mileage

82,217 miles



Pass

Monitor and repair if necessary (advisories)

- Oil leak, but not excessive [8.4.1 (a) (i)]
- Oil leak, but not excessive [8.4.1 (a) (i)]
- Service brake binding but not excessively Nearside Rear [1.2.1 (f)]

36 Date of the test

® Expiry date

16.06.2022

15.06.2023

To preserve the anniversary of the expiry date, the earliest you can present your vehicle for test is 16.05.2023.

3a Location of the test

VULCAN ROAD, MINEHEAD, SOMERSET, TA24 6DG

Testing organisation and inspector name

S002557 BEAVER GARAGES MINEHEAD T. C. RICHARDS

MOT test number

2832 2453 0029

Check that this document is genuine by visiting www.gov.uk/check-mot-history

If any of the details are not correct, please contact DVSA by email at enquiries@dvsa.gov.uk or by telephone on 0300 1239000.

Receive a free annual MOT reminder by subscribing

at www.gov.uk/mot-reminder or by telephone on 0300 1239000.

Page 1 of 1 VT20/2.0

Issuer signature

Registration HF C	821	[A.1] F					
number	021						
B: Date of first registration			E: VIN/Chassis/Frame No.	00.11.00.10			
[B.1]: Date of first registration in the UK	13 04 1939		P.5: Engine number	TPBM16295			
D.1: Make	MORRIS 12/14		F.1: Max. permissible mass (exc. m/c)				
D.2: Type			G: Mass in service				
Variant		C	 Power/Weight ratio (kW/ kg) (only for motorcycles) 				
Version				BLACK\GREEN			
Euro status			O: Technical permissible	DEMORIGINEER			
Real driving emissions			maximum towable mass of trailer				
D.3: Model			O.1: braked (kg)				
D.5: Body type	SALOON		O.2: unbraked (kg)				
(X): Taxation class	HISTORIC VEHICLE		U: Sound level				
[D.6]: Suspension type			U.1: stationary (dB(A))				
[Y]: Revenue weight	1470 CC		U.2: engine speed (min-1)				
P.1: Cylinder capacity (cc) V.7: CO ₂ (g/km)	14/9 00		U.3: drive-by (dB(A)) V: Exhaust Emissions				
P.3: Type of fuel	PETROL		V.1: CO (g/km or g/kWh)				
S.1: Number of seats,			V.2: HC (g/km or g/kWh)				
including driver			V.3: NOx (g/km or g/kWh)				
S.2: Number of standing places (where appropriate)			V.4: HC+NOx (g/km)				
	2-AXLE-RIGID BODY		V.5: particulates (g/km or g/kWh)				
J: Vehicle category			Automated vehicle (AV)				
K: Type approval number P.2: Max. net power (kW)							
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Scanned photo of Morris 12/4 motor vehicle (and additional vehicle information from Mr Growden)



Known as Harold HFC 821 is a Morris 12 four series 3 four-cylinder overhead valve 1548 cc Engine with a four speed synchromesh gearbox with a sliding sunroof head

The Morris 12/4 and the similiar 10/4 were Morris medium sized saloon car's of the day leading up to the second world War.

Earlier 12/4's had the side valve engine whereas the series 3 12/4 was fitted with the overhead valve unit and remaining at 1548cc.

It is a rare car in the condition that it is in which was built by Morris engines Ltd for a few years

It is a fine example and comes in striking black and is in excellent mechanical condition

Harold is an excellent four-cylinder four speed car that goes extremely well

It drives without fault pulls up in a straight line and has a real vintage feel to it

It is comfortable to ride in thanks to such features as the Lockheed Hydraulic brakes and Armstrong hydraulic shock absorbers

As well as it's silent duplex roller chain it is a joy to be a passenger or to drive with the sliding head roof opened

Harrold was registered prior to the Second World War in 1939

The vehicle was available as a four-door saloon or a two door coupe It shared its bodyshell with contemporary Wolseley.

Not long later this independent manufacturer joined Morris as part of the Nuffield organisation

E-mail correspondence between applicant and Clegg Gifford (regarding motor insurance quote)

