

DECISION OF LICENSING SUB-COMMITTEE

17 August 2022

Vehicle Licence for registration HFC 821

The Licensing Sub-Committee has convened today to consider Mr. Growden's application for a historical vehicle to be licensed as a private hire vehicle in the former West Somerset district area. The vehicle is a Morris 12/4 which was first registered in 1939. Somerset West and Taunton Council's Hackney Carriage/Private Hire Regulations for the former West Somerset district area at Appendix C, condition 5 stipulates *'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 ... 5., application must be made to the Council's Licensing Panel detailing their reasons for dispensation from the requirements'*. The matter is determined today by the Licensing Sub-Committee.

Mr. Growden is currently licensed by Somerset West and Taunton Council as a private hire driver and private hire operator. The application outlines Mr. Growden's proposal to use the historic vehicle to operate a business of informative and structured tours across Exmoor National Park and for event bookings. Mr. Growden explained at the hearing the works that have been carried out to the vehicle, known as 'Harold', which include a new braking system, seatbelts and electrics, with the addition of indicators. Following works done to the vehicle it has passed both an MOT test and the Council's 'plate test'.

The Licensing Officer has recommended that the licence be granted as they are satisfied that Mr. Growden has invested a significant amount into the vehicle to ensure that it meets safety standards and is fully compliant with the conditions set by the Vehicle Specifications under the 'West Somerset' Taxi Area Policy. The Department of Transport have encouraged Licensing Authorities to move away from vehicle age restrictions and rather place greater emphasis on the 'plate test' and MOT in assessing the safety of a vehicle, as such this is the stance proposed by the Licensing Officer. It was noted that Mr. Growden has not yet secured private hire vehicle insurance. It was concluded that this had not been obtained due to the cost to Mr. Growden but would be secured within a few days should the Licensing Sub-Committee grant the vehicle licence.

The Sub-Committee has carefully considered the recommendations of the Licensing Officer, the information provided by Mr. Growden in his application, Mr. Growden's submissions today and the requirements of the Policy for the former West Somerset area.

After consideration of all the circumstances of this matter, the Licensing Sub-Committee has concluded that a dispensation to condition 5 of Appendix C of the Somerset West and Taunton Council's Hackney Carriage/Private Hire Regulations should apply and the application for a private hire vehicle licence be granted, as the provisions of section 48 of the Local Government (Miscellaneous Provisions) Act 1976 are satisfied for vehicle HFC 821. **The vehicle Licence is conditional upon** Mr. Growden providing a fully comprehensive insurance certificate for private hire use of the vehicle to the Somerset West and Taunton Council Licensing Team within 14 days from the date of the hearing (17 August 2022).

The Licensing Sub-Committee recommended that Mr. Growden obtains public liability insurance in relation to the operation of his private hire business. This is not a condition but is considered of importance by the Licensing Sub-Committee to ensure safety of the public and your business.

In accordance with 3.9 of the 'Somerset West and Taunton Council's Hackney Carriage/Private Hire Regulations for the former West Somerset district area, as the vehicle is over 5 years old it will need to undergo a vehicle plating test at the Council's nominated inspecting garage at 6 monthly intervals in addition to the annual MOT test as specified at 3.10 of the Policy.

If you are dissatisfied with this decision you have a right of appeal against it to the Magistrates Court. Any appeal should be sent to the Magistrates Court in Taunton at St John's Road, Taunton, TA1 4AX no more than 21 days following the receipt of this notice.