

LICENSING AND REGULATORY COMMITTEE

11th June 2018

REPORT OF ASSISTANT DIRECTOR OF STRATEGIC PLANNING & REGULATORY SERVICES

AMENDMENT OF THE HACKNEY CARRIAGE AND PRIVATE HIRE POLICY FOR PRIVATE HIRE SPECIAL VEHICLE TYPE WITH REGARDS TO ESCORTED TRIKE TOURS

1.0 PURPOSE OF REPORT

- 1.1 To consult the Committee on proposed revisions to the Hackney Carriage and Private Hire policy, regarding special vehicle types to allow a Motor tricycle for escorted tours of the region.

2.0 RECOMMENDATIONS

- 2.1 **It is recommended that the Licensing & Regulatory Committee note the proposed revisions to the Hackney Carriage and Private Hire Policy at Appendix A, and approve it for Public Consultation.**

3.0 KEY ISSUES

- 3.1 An application had been made for a new Private Hire Vehicle licence under Melton Borough Council's Hackney Carriage & Private Hire Policy, Section 11: Special Vehicles, Vintage Vehicles and Limousines. The vehicle in question is a brand new 2018 Boom Mustang 'Family' Motor Tricycle (Trike) purpose built three seat 1600cc engine with similar controls to that of a car (brake and gear change) but the steering is by handlebars and throttle (as a motorcycle). The vehicle is classified as a motor car and can be driven by anyone with a Full UK driving licence, providing they passed their driving test prior to 19 January 2013, following which the DSA issued new driving rules for mopeds, motorcycles and tricycles. See **Appendix A**.
- 3.2 A meeting of the Licensing & Regulatory Committee was held on 19th March 2018 and the amendments discussed.
- 3.3 A list of items to be clarified was made and the list along with the responses has been provided. See **Appendix B**.
- 3.4 The Draft Standard Conditions to apply to a Special Vehicle 'Motor Tricycle' Licence have been amended to take into account the responses and are provided at **(Appendix C)**
- 3.5 The Draft Additional conditions to apply to the Operators licence of a Special Vehicle 'Motor Tricycle' Licence have been amended to take into account the responses and are provided at **(Appendix D)**
- 3.6 A Mission statement for the proposed operator has been requested and is shown at **(Appendix E)**
- 3.7 A list of current similar Trike tour operators in the UK is provided **(Appendix F)**

4.0 DEMONSTRATION

4.1 Mr Richard Potts is to bring his vehicle to Melton Council offices so that Members can have a better understanding of the type of vehicle to be covered under the Special vehicles extension.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1 There are no financial or other resource implications.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 This policy has been written in accordance with the Council's responsibilities under the Local Government (Miscellaneous Provisions) Act 1976 and the Town and Police Clauses Act 1847.

7.0 COMMUNITY SAFETY

7.1 This policy has been written with Community Safety in mind and it endeavours, as far as is possible, to ensure that the travelling public are safe both in respect of the suitability of the driver and the mechanical soundness of the vehicle.

7.2 Melton Borough Council (the Council) is responsible for exercising the licensing and associated function relating to Hackney Carriage and Private Hire Activities, in undertaking this function the Council will have particular regard to:

- Town and Police Clauses Act 1847
- Local Government (Miscellaneous Provisions) Act 1976
- Transport Act 1985 and 2000
- Crime and Disorder Act 1998
- Environmental Protection Act 1990
- Equalities Act 2010
- Road Traffic Acts
- Human Rights Act 1998
- Health Act 2006
- Immigration Act 2016
- Melton Borough Council Byelaws
- Melton Borough Council's Constitution

8.0 EQUALITIES

8.1 Equalities issues in relation to this report have been considered, whilst access to persons with disabilities was restricted it was felt that due to the special nature of the escorted Trike tours that any requests to travel would be assessed prior to the tour taking place. The vehicle is not for normal Private Hire work.

9.0 RISKS

9.1 The legal issues are fully addressed within the report and it is felt that if the Act and safety considerations are demonstrated to have been fully considered by Members prior to a decision being taken that there is minimum risk to the Council.

10.0 CLIMATE CHANGE

10.1 There are no implications for Climate Change.

11.0 WARDS AFFECTED

11.1 All Wards

Date: 30th May 2018

Appendices: Hackney Carriage & Private hire Licensing Policy 2016 with proposed amendments highlighted- Appendix A
Discussion points and responses – Appendix B
Additional Standard Conditions – Appendix C
Additional Operators Licence Conditions – Appendix D
Operators Mission Statement – Appendix E
List of current UK Trike Tour operators – Appendix G

Reference : X:\Cttee, Council & Sub Cttees\Licensing & Regulatory Committee & Subs\1. Licensing & Regulatory Committee\2018-19\11.06.2018