

## AGENDA

---

**Meeting:** Licensing Committee  
**Place:** County Hall, Bythesea Road, Trowbridge  
**Committee Room:** Room III  
**Date:** Tuesday 15 December 2009  
**Time:** 2.30 pm

---

Please direct any enquiries on this Agenda to Lisa Pullin, of Democratic and Members' Services, Monkton Park, Chippenham, direct line 01225 713015 or email [lisa.pullin@wiltshire.gov.uk](mailto:lisa.pullin@wiltshire.gov.uk)

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

---

### Membership:

Cllr Desna Allen  
Cllr Richard Beattie  
Cllr Peggy Dow  
Cllr Rod Eaton  
Cllr Jose Green  
Cllr Mark Griffiths

Cllr Jon Hubbard  
Cllr George Jeans  
Cllr Bill Moss  
Cllr Nina Phillips  
Cllr Bill Roberts  
Cllr Jonathon Seed

---

### Substitutes:

Councillor A Bucknell  
Councillor T Carbin  
Councillor B Douglas

Councillor J Lay  
Councillor H Marshall  
Councillor P Ridout

## **PART I**

### **Items to be considered while the meeting is open to the public**

1. **Apologies**

2. **Minutes**

To confirm the minutes of the meeting held 5 November 2009. (Copy attached)

3. **Chairman's Announcements**

4. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

5. **Public Participation**

The Council welcomes contributions from members of the public.

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Members of the public wishing to ask a question should give written notice (including details of any question) to the officer named above by 12:00 noon on **11<sup>th</sup> December 2009**.

6. **Minutes of the Licensing Sub-Committees**

To receive the minutes of the following Licensing Sub-Committees:

**Southern Area**

3<sup>rd</sup> November 2009

7. **Private Hire Car Licensing**

To consider the attached report.

8. **Urgent Items**

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

**PART II**

**Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed**

**NONE**

This page is intentionally left blank

## LICENSING COMMITTEE

---

### MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON THURSDAY 5<sup>TH</sup> NOVEMBER 2009 AT 9.30 PM AT COUNTY HALL, TROWBRIDGE

#### Present:

Councillor R Beattie, Councillor P Dow, Councillor R Eaton, Councillor Mrs J Green, Councillor M Griffiths, Councillor J Hubbard, Councillor G Jeans, Councillor W Moss (Chairman), Councillor Mrs N Phillips, Councillor B Roberts

#### Apology:

Councillor Mrs D Allen, Councillor J Seed

---

#### 7. MINUTES

The minutes of the meeting held 18 June 2009 were confirmed as a correct record and signed by the Chairman.

#### 8. MEMBERS' INTERESTS

None were declared.

#### 9. PUBLIC PARTICIPATION

No members of the public wished to speak.

#### 10. LICENSING AND JOINT WORKING WITH THE POLICE

The Committee received a presentation from Chief Inspector C Dibble and Chief Inspector D Bennett on the licensing function from the police point of view and the work being undertaken to improve co-operation between the police and Wiltshire Council, as licensing authority, in order to better achieve the objectives of the Licensing Act 2003.

Chief Inspector Bennett would shortly be retiring and would then take up the newly created post of Licensing Manager for Wiltshire Police to help move forward the process.

Chief Inspector Dibble answered questions from councillors about various aspects of the police involvement with the licensing process.

The chairman thanked the police for their useful and interesting presentation.

## **11. MINUTES OF LICENSING SUB-COMMITTEES**

The committee received the minutes of the following Licensing Sub-Committee meetings.

### Northern Area

29<sup>th</sup> July 2009

### Southern Area

27<sup>th</sup> May 2009, 30<sup>th</sup> July 2009, 26<sup>th</sup> August 2009 & 18<sup>th</sup> September 2009.

### Western Area

14<sup>th</sup> July 2009 X 2, 30<sup>th</sup> July 2009, 3<sup>rd</sup> August 2009, 10<sup>th</sup> August 2009, 25<sup>th</sup> August 2009 & 8<sup>th</sup> September 2009.

### **Resolved:**

That the minutes be received and noted.

## **12. LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY**

The committee received a report describing the work undertaken since the draft licensing policy was considered by the Implementation Executive on 13<sup>th</sup> May 2009 and outlining two options relating to the “terminal hour” issue which affected the former Salisbury District Council area.

The legal position with regard to the adoption of a terminal hour was explained to the committee in detail and it was confirmed that the police were not in favour of such a policy as this would mean all licensed premises closing at the same time leading to an unacceptable strain on police resources.

In order to bring the old Salisbury District Council area into line with the rest of Wiltshire a new out of hours response service would be established to deal with complaints.

Councillors were reminded that under the transitional legislation for new unitary authorities the Council was required to adopt a Statement of Licensing Policy by 1<sup>st</sup> April 2010. The existing four former district council policies remained in force until such time as the new licensing policy was agreed.

The committee was reminded that the licensing policy would only come into play when objections were made on licensing applications or reviews were held. Should no objections be received then the application would be granted as applied for in compliance with the legislation.

The report set out in detail the requirements of the legislation, its' aims and objectives as they related to the proposed Statement of Licensing Policy.

In addition the report set out the requirement for the Council to formally adopt procedural rules for use by the Licensing Sub-Committees charged with dealing with various matters under the legislation. A suggested set of procedural rules was appended to the report.

Councillors were of the opinion that paragraph 6.2 of the procedural rules should be amended by the deletion of the words "voiced through the Chairperson" and that paragraph 6.2 as amended should be re-numbered 6.1 and paragraph 6.1 should become paragraph 6.2.

**Resolved:**

- a) That the committee approves the procedural rules for licensing sub-committee hearings as amended by the committee.
- b) That the Licensing Committee approves the Statement of Licensing Policy and recommend that Council adopts the Statement of Licensing Policy in accordance with the provisions of the Licensing Act 2003.

**13. LICENSING FUNCTIONS – AMENDMENTS TO THE CONSTITUTION**

The committee received a report setting out amendments that were required to the scheme of delegation and the terms of reference of the Licensing Committee in the Council's Constitution before the full review of the Constitution was commenced in January 2010.

The meeting was informed that at present the remit of the Licensing Committee, as stated in the Constitution and scheme of delegation, did not include all the functions of the Public Protection Service and lacked clarity on the responsibilities of the Licensing Committee itself.

The meeting was informed that for many of the licensing functions, as set out in the appendix to the report, there was no role for the committee as the right of appeal against any officer decision was direct to the Magistrates' Court. It was nevertheless necessary for there to be clarity in the council's Constitution for the avoidance of any doubt when dealing with these quasi judicial matters.

**Resolved:**

- a) That the committee notes the amendments to the Constitution regarding various licensing functions as set out in appendix 1 to the report and recommends that Council adopts the amendments.
- b) That Council be recommended to amend the terms of reference of the Licensing Committee to read as follows: "To deal with all of the Council's responsibilities under the Licensing Act 2003 and Gambling Act 2005, and all other licensing functions carried out by the public protection service as set out in the same appendix 1 to the report.

**14. URGENT ITEMS**

No urgent items were considered.

**PART 2**

**Items considered whilst the public were not entitled to be present  
None.**

Chairman  
2009

Produced by Phillip Hamilton, Democratic Services, Direct Line 01225 718377

[phillip.hamilton@wiltshire.gov.uk](mailto:phillip.hamilton@wiltshire.gov.uk)

Press enquiries to Communications, Direct Line 01225 713114/713115



## **SOUTHERN AREA LICENSING SUB-COMMITTEE**

---

### **MINUTES OF THE SOUTHERN AREA LICENSING SUB-COMMITTEE MEETING HELD ON TUESDAY 3<sup>RD</sup> NOVEMBER 2009 AT 11:00 AM, AT CITY HALL, SALISBURY**

#### **Present:**

Councillor J Hubbard  
Councillor G Jeans  
Councillor W Moss

Mrs S Colley – Licensing South and East Team Manager, Wiltshire  
Council

Miss J Green – Democratic Services Officer, Wiltshire Council

Mr R Hodgkinson – Solicitor, Wiltshire Council

Mrs D Mulvey – Licensing Officer, Wiltshire Council

Mr L McEwan - Applicant

Mrs J Hawkins – Interested Party

Mrs A Midgley – Interested Party

C Randall – Interested Party

Councillor J Smale – Unitary Member for Bulford, Allington and Figcheldean

---

### **PART 1**

#### **Items considered whilst the meeting was open to the public**

#### **1. ELECTION OF CHAIRMAN**

It was proposed, seconded and

**RESOLVED** that Councillor W Moss be elected Chairman of the Southern Area Licensing Sub-Committee for the meeting dated 3<sup>rd</sup> November 2009.

#### **COUNCILLOR W MOSS - IN THE CHAIR**

#### **2. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting of the Southern Area Licensing Sub-Committee, held on 18<sup>th</sup> September 2009, were confirmed as a correct record and signed by the Chairman.

### **3. PROCEDURE FOR THE MEETING**

The Chairman explained the procedure to be followed at the hearing, as contained within the "Wiltshire Licensing Committee Procedural Rules for the Hearing of Licensing Act 2003 Applications".

### **4. CHAIRMAN'S ANNOUNCEMENTS**

There were none.

### **5. MEMBERS' INTERESTS**

There were none.

### **6. APPLICATION FOR PREMISES LICENCE IN RESPECT OF CHOLDERTON CHARLIE'S FARM AND YOUTH HOSTEL, CHOLDERTON RARE BREEDS FARM PARK, AMESBURY ROAD, CHOLDERTON, WILTSHIRE, SP4 0EW**

The Licensing Officer introduced her report.

In accordance with the procedure detailed in the Agenda the applicant and the interested parties present were given the opportunity to address the Sub-Committee and through the Chairman, to question one another about the detail of the application and representations. Sub-Committee members had the opportunity to question all parties.

Councillor Smale expressed his intention to speak on the application, however, legal advice was issued to the effect that as Councillor Smale had not made personal representations to the Licensing Authority within the 28 day objection period, nor had he been requested to represent parties who had made representations, he was not entitled to speak. The Sub-Committee did have a broad discretion to admit further evidence where relevant, however this should be the exception and not the rule. Due to the quasi-judicial nature of the process, the Sub-Committee considered that they should hear only relevant representations. Councillor Hubbard wished the minutes to reflect his disappointment that he was unable to hear the views of the local member who may have a constructive input and local knowledge.

Following summaries made by both the applicant and the interested parties, the Sub-Committee retired to consider the application.

During their deliberations the Sub-Committee was accompanied by the Solicitor for Wiltshire Council and the Democratic Services Officer.

Following the deliberations of the Sub-Committee the Solicitor for the Council made a statement of the material legal advice given in closed session, as follows:

The Sub-Committee must decide if there is a real possibility that one or more of the licensing objectives will be undermined, based on the evidence presented to it. If it is concluded that any of the licensing objectives will be undermined, Section 18(4) of the Licensing Act 2003 enables the Sub-Committee to impose conditions, exclude certain parts of the application or reject the application in full.

**The Sub-Committee RESOLVED:**

To grant the licence, subject to the following conditions and exclusions:

- 1) The showing of films under Section B to cease at 18:00hrs when outdoors.
- 2) Live music under Section E to take place indoors only and to cease at 23:00hrs.
- 3) Recorded music under Section F to be permitted indoors only and to cease at 23:00hrs.
- 4) Performance of dance under Section G to be permitted indoors only and permitting one special Christmas dance during the festive season to cease at midnight.
- 5) The provision of facilities for dancing under Section J to be permitted indoors only.
- 6) Provision for entertainment under Section K limited to 18:00hrs outside.
- 7) Late night refreshment from 23:00hrs to midnight is refused.
- 8) A prominent notice to be displayed at the premises containing the name and contact number of a suitable individual who can be contacted in the event of problems whilst licensable activities are taking place.
- 9) All doors and windows to be closed after 22:00hrs during the performance of any music under Section E or F.

**Reasons:**

The Sub-Committee considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 18); the guidance issued under Section 182 of the Act and the licensing Policy of the former Salisbury District Council.

The Sub-Committee considered the written evidence presented in the agenda, together with the oral evidence given at the hearing from Mr McEwan, Mrs Hawkins and Mrs Midgley.

The principal objection from those making representations against the grant of the licence was in respect of a regulated entertainment taking place in the open fields and grounds and as a result causing a nuisance to those living in the vicinity. Both interested parties referred to an incident involving noise from a loud activity involving the use of a drum kit which persisted throughout the afternoon and early evening. Whilst the Sub-Committee acknowledged that this event was some time ago the Sub-Committee were satisfied that there was a nuisance and were further

satisfied that there was a real possibility of further nuisance occurring if the licence for regulated entertainment was granted in the form applied for. In reaching this decision the Sub-Committee took particular note of the fact that the applicant appeared to have given little or no thought to what actions or measures might be taken to reduce the risk of nuisance from events being held in the open.

As regards the sale of alcohol the Sub-Committee did not feel that the licence applied for would undermine any of the licensing objectives. Whilst the Sub-Committee in no way condoned drunken behaviour or drink driving, the Sub-Committee had to bear in mind the statutory guidance to the effect that the conduct of persons when away from the immediate vicinity of the premises was a matter for their own responsibility before the law. Although Mrs Midgley expressed her concerns about drunkenness and drink driving there was no evidence presented to the Sub-Committee from which they could reasonably conclude that this was a real possibility.

The Sub-Committee remained concerned at the apparent lack of detailed consideration by the applicant with regard to those activities for which the licence was sought. For this reason the Sub-Committee attached the condition that a prominent notice be displayed at the premises containing the name and contact number of a suitable individual who could be contacted in the event of problems whilst licensable activities were taking place.

Further the Sub-Committee refused the late night refreshment licence from 23:00hrs to midnight. The Sub-Committee felt that the provision of food until midnight would result in persons failing to disperse over a longer period and quite possibly remain on the premises up until or beyond the stipulated closing time.

All parties have the right to appeal to the Magistrates Court within 21 days of this decision. A Responsible Authority or interested party has the right to request the Local Authority to review the licence. Such an application may be made at any time, but it is in the discretion of the Local Authority to hold the review and a review will not normally be held within the first twelve months of a licence, save for the most compelling reasons.

## **PART 2**

### **Items considered whilst the meeting was closed to the public**

**None**

Chairman  
2009

Press enquiries to Communications, Direct Line 01225 713114/713115

This page is intentionally left blank

**ADDITION TO EXISTING PRIVATE HIRE VEHICLE CONDITIONS FOR  
LICENSING OF A MOTORISED TRIKE**

**Executive Summary**

This report asks the Committee to decide whether additional conditions may be added to current conditions already in place to accommodate a request for the licensing of a motorised trike, as a private hire vehicle.

**Recommendations**

**It is recommended:**

- **Agree to the proposed conditions for a motorised trike becoming a private hire vehicle with immediate effect.**

**Reason for Proposal**

On the 29th July 2009 a request was received from Mr and Mrs MacKay for consideration to be given to the licensing of a motorised trike, along with detailed documentation outlining the type of business the vehicle would be used for.

Author: Jo Lloyd, Licensing Officer, Public Protection Team, EDPH

Contact Details: jo.lloyd@hotmail.co.uk; 01249 706438; 72 1438

## **Purpose of Report**

For the Committee to decide whether proposed conditions for a motorised trike can be incorporated with existing conditions for private hire vehicles.

## **Background**

On the 19<sup>th</sup> July 2009, a letter of request was received from Mr and Mrs Mackay for changes to be considered to current conditions for private hire vehicles.

The vehicle to be considered for licensing is a Boom Family 8i 3-wheel tricycle, and was licensed with the Isle of Wight Council in March 2009, for the carriage of two passengers. It is manufactured to the highest standard and compliant with EN ISO 9001. It is also fitted with seat belts and a safety restraint bar.

Mr and Mrs Mackay intend to use the vehicle for pre-booked tours of the surrounding areas as well as providing unique experiences for birthdays, weddings and other special occasions. They have also advised of the safety equipment and clothing that all passengers will be required to wear and that they will provide this.

The vehicle can be driven on a full car or motorcycle licence. All drivers of the vehicle, if licensed, would be subject to the same fit and proper checks as already required by all applicants who wish to become private hire vehicle drivers.

## **Additional Proposed Conditions**

### **P40 Motorised Trikes**

In relation to these conditions, certain exemptions or restrictions apply with regard to motorised trikes. These vehicles are defined as: -

A three-wheeled vehicle, with the capacity to carry up to 3 passengers excluding the driver. It is an adaptation of a two-wheel motorbike, widened to the rear for carriage of passengers side by side behind the driver. All passengers are carried at the risk of being exposed to the elements as there is no roof/canopy or doors to the vehicle.

The purpose of these conditions is to protect public safety. They apply in addition to the Authorities standard conditions for private hire vehicles.

### **P41 Trike Tyres**

The vehicle should be equipped with 3 road tyres, but is not required to carry a spare tyre due to lack of carriage facilities.

### **P42 Trike Seatbelts**

All seats provided for the use of passengers must be fitted with seatbelts in accordance with the current Road Vehicle (Construction and Use) Regulations.

### **P43 Passengers carried in Trikes**

- All passengers must remain seated and wear a seatbelt when the vehicle is in motion.
- Any child carried must be over 135cms in height.
- Any child under the age of 16 years must be accompanied by an adult.



#### **P44 Protective Clothing**

All passengers, including the driver, will be required to wear: -

- A helmet, compliant with Safety Standard ECE 22.05
- Hygienic hair covers to be worn under the helmet.
- Eye protection glasses, compliant with European Directive 89/686/EEC.
- Long trousers and covered in shoes.
- Waterproof clothing, which should be provided if required.

#### **P45 Fire Extinguisher**

Operators of trikes will not be required to carry a fire extinguisher.

#### **Environmental Impact**

None

#### **Equality and Diversity**

Any vehicle put forward for licensing as a private hire vehicle should be considered for its purpose despite the fact that current conditions may not accommodate such a vehicle without change.

#### **Risk Assessment**

None, although health and safety issues have been considered in compiling conditions and vehicle specifications.

#### **Financial Implications**

None.

#### **Legal Implications**

The Local Government (Miscellaneous Provisions) Act 1976 requires the Council to be satisfied that a vehicle is: -

- Of a suitable type, size and design for use as a private hire vehicle;
- Not of such design and appearance as to make it likely to be confused with a hackney carriage;
- In suitable mechanical condition;
- Safe;
- Comfortable.

All of the above must be satisfied before a private hire vehicle licence may be granted. The main conditions will be enforceable by the Licensing Officer, with additional and exempted conditions in place for a trike.

#### **Conclusion**

It is recommended:-

Committee agree to the addition of these conditions to current enforced conditions already in place, in order to support this new venture in the County of Wiltshire.

## **Background Papers**

**Information from Mr and Mrs Mackay in relation to the licensing of the Trike.**

## **Appendices**

Appendix 1 – Letter of Request from Mr and Mrs Mackay

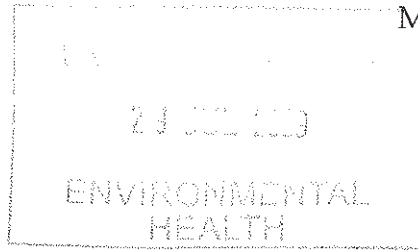
Appendix 2 – Vehicle Information

Appendix 3 – Private Hire Vehicle Licence issued by Isle of Wight Council

Appendix 4 – Isle of Wight Council – Certificate of Compliance

Appendix 5 – List of Protective Clothing to be Provided by applicants

Mr Stewart and Mrs Frances Mackay



Licensing Officer  
Wiltshire Council  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

28<sup>th</sup> July 2009

**Request for consideration of changes to the current conditions of Private Hire vehicles**

Dear Sir/Madam

We wish to apply for a private hire licence for a motor tricycle (trike). Please refer to Doc. 1 for full details of the vehicle.

We contacted Jo Lloyd (Licensing Officer – North and West) earlier this month to find out if a trike can be licensed and she informed us that the current conditions of private hire licences do not include provisions for a trike. She suggested that we write to the council asking if the current conditions can be changed – and hence this is our reason for writing.

We purchased the trike from Mr Steven Tosdevin who was granted a private hire licence for the vehicle from the Isle of Wight Council in March 2009 (refer to Docs. 2a, 2b, 2c and 2d). These documents demonstrate that the vehicle has already passed the vehicle compliance and inspection for a private hire vehicle. We appreciate that the trike may need to have these inspections repeated for Wiltshire Council but we have included the documents for the Licensing Committee's perusal.

Our intention is to provide visitors and residents of Wiltshire with a different type of service than is normally provided by private hire vehicles. There are several other such services in the United Kingdom (refer to Doc. 3) but, as far as we are aware, there are no such services in the Wiltshire area. We believe it will provide an exciting addition to what is currently available and will attract tourists to the district. We intend to conduct pre-booked tours (from 1 hour to full day) of the surrounding areas as well as providing a very unique experience for special occasions such as weddings and birthdays. (It may be helpful to the Licensing Committee to refer to Doc. 4 containing the Minutes from the Regulatory and Appeals Committee at Nottingham City Council, where private hire approval was granted for a similar trike.)

Passenger and driver safety will be our highest priority. The trike has been manufactured to the highest standards and is compliant with EN ISO 9001. It is fitted with seat belts and a safety restraint bar. All passengers will be required to wear long trousers and enclosed shoes. We will provide all passengers with safety and protective clothing – please refer to Doc. 5 for an itemised list.

We hope that the information we have provided here will enable the Licensing Committee to consider making an amendment to the council's specification for Private Hire Vehicles to include the Boom trike.

We welcome the opportunity to meet with the Licensing Committee to discuss any information in detail and to present the vehicle for their inspection, should they wish us to do so.

Yours sincerely

Stewart Mackay  
(Registered  
keeper)

Frances Mackay

**Vehicle information**

Vehicle make	Boom Family 8i
Vehicle registration	MX08 HKZ
Date of first registration	01 05 2008
Year manufactured	2008
Body type	Tricycle
Wheel plan	3-wheel
Type of fuel	petrol
Cylinder capacity	1595CC
No. of seats (incl. driver)	4
Colour	Black/red
Chassis no. (VIN)	WBC5BML378S003040
V5 serial number	BN7957881
Vehicle length	3555mm
Vehicle width	1828mm
Vehicle height	1480mm
No. of gears	4 forward, one reverse
Insurance Company name	Ensign, trading name of QBE Insurance (Europe) Ltd
Insurance policy no.	0942836Y
Insurance end date	26 <sup>th</sup> July 2010



Photographs of trike  
taken 27<sup>th</sup> July 2009



This page is intentionally left blank



ISLE of  
WIGHT  
COUNCIL

## PRIVATE HIRE OPERATOR'S LICENCE

LICENCE No. 027063

This licence is granted in accordance with section 55 of the Local Government (Miscellaneous Provisions) Act 1976 following an application by

**Mr S Tosdevin**  
Of

The Isle of Wight Council do hereby licence the above named person(s) to operate private hire vehicles within the area of the Isle of Wight.

This licence authorises the following premises to be used as the operating address:

This licence shall be in force until 22nd March 2010 (unless suspended or revoked) and shall be subject to the Isle of Wight Council Private Hire Operator's licence conditions and to such rules, orders and regulations made or to be made by the Council and for the time being in force.

DATED 23rd March 2009

DAVID CURTIS-BOTTING  
SENIOR LICENSING OFFICER



ISLE of  
WIGHT  
COUNCIL

## PRIVATE HIRE VEHICLE LICENCE

LICENCE No. 026848

This licence is granted in accordance with section 48(1) of the Local Government (Miscellaneous Provisions) Act 1976 following an application by

**Mr Steven Robert Tosdevin**  
Of

Who (is) (are) described as a proprietor(s) or as a person(s) who (is) (are) concerned in the keeping, employing or letting for hire of a mechanically propelled vehicle (particulars of which are set out in the Schedule below).

The Isle of Wight Council do hereby license the motor vehicle to be used as a private hire vehicle within the area of the Isle of Wight.

This licence shall be in force until 30th March 2010 (unless suspended or revoked) and shall be subject to the Isle of Wight Council Private Hire Vehicle licence conditions and the endorsed additional Condition and to such Rules, Orders and Regulations made or to be made by the Council and for the time being in force.

### SCHEDULE

LICENSED TO CARRY 2 PERSONS

REGISTRATION MARK OF VEHICLE MK08 HK7

PRIVATE HIRE P *Please note:*

Additional Condition: The vehicle shall display the registration mark at all times on the front nearside and offside doors.

DATED 23rd March 2009

DAVID CURTIS-BOTTING  
SENIOR LICENSING OFFICER

*There was an administration error on Docs. 2b and 2c - the registration mark was recorded as MK08 HK2 instead of MX08 HK2.*

*At the time of purchase, the Isle of Wight Council was in the process of rectifying this error.*

all



Doc 2c

# MOTOR VEHICLES (TESTS) REGULATIONS 1981 HACKNEY CARRIAGES AND PRIVATE HIRE CARS



## CERTIFICATE OF COMPLIANCE

Workshop Job Serial No 3195

THE [~~Hackney Carriage~~] [~~Private Hire~~] Vehicle of which the Registration Mark is \_\_\_\_\_ and the  
[~~Hackney Carriage~~] [~~Private Hire Vehicle~~] Plate No. is 82 having been examined at Vehicle Testing Station  
No. 4645 B.C.

IT IS HEREBY CERTIFIED that at the date of the examination thereof the statutory requirements prescribed  
by Regulations made under section 45 of the Road Traffic Act 1988 were complied with in relation to the vehicle  
and that the condition of the vehicle meets the standards laid down by the Isle of Wight Council.

Name of Licence Holder Surname TOSDEVIN  
Forenames STEVEN  
Address \_\_\_\_\_

Telephone No. \_\_\_\_\_ Signature \_\_\_\_\_

for and on behalf of ISLE OF WIGHT COUNCIL

Date of Issue 16 JANUARY 2009 Date of Expiry 15 JANUARY 2010  
Make Boon Model FAMILY BT  
Year of Manufacture 2008 Engine Capacity (cc) 1600  
Mileage 1721 km Meter Make N/A Serial No. N/A

### NOTES

1. This certificate is given after an examination of the vehicle referred to therein, and relates only to the condition of the vehicle, its equipment and accessories as at the time of that examination and in so far as its condition and equipment and accessories were required to be examined for that purpose. The certificate must not be taken as relating to the condition of the vehicle or its equipment or accessories at any other time or in any other respect.
2. It is an offence to use on public roads any hackney carriage/private hire vehicle which is subject to periodic test, unless an MOT test certificate or certificate of compliance is in force relating to the vehicle. This certificate must therefore be renewed on or before its expiry date if the vehicle is to continue in use. The Council will not issue a hackney carriage/private hire vehicle licence number unless a valid Certificate of Compliance is produced.
3. You are advised to keep this certificate readily available while it is in force. In the case of vehicles subject to periodic test, a police constable may require production of an effective MOT test certificate or a Certificate of Compliance and one must be sent or produced with an application for a licence for the vehicle.
4. If you lose this certificate, provided you are able to quote either the Workshop Job Serial Number or the approximate date of issue, a duplicate may be obtained from the Authorized Examiner/Inspector who carried out the examination of the vehicle.

**IMPORTANT - KEEP THIS CERTIFICATE SAFELY**

**INSPECTION OF LICENSED HACKNEY CARRIAGE/  
PRIVATE HIRE VEHICLE**

No. **3195**



Registration No. .... Make and Type **BOON TRIKE** Plate No. **N/A** Speedo Reading **17.21** km

Applicant **S. TOSDEVINE** Address ...

(1) INSIDE	- Check for	Item
W Wipers/Washers/Horn/Switches	- Operation	✓
Gauges/Warning Devices	- Operation and Location	✓
Panel Lights	- Operation	✓
Driving Seat	- Security/Damage	✓
Mirrors	- Security/Damage	✓
Air Vacuum	- Build Up/Leaks	✓
Brake Controls	- Operation/Damage	✓
Clutch and Throttle Controls	- Operation/Damage	✓
Steering Wheel	- Play/Damage	✓
Steering Columns	- Security	✓
Upholstery	- View/Condition	✓
Cab Floors and Steps	- Damage/Security	✓

(2) GROUND LEVEL	- Check for	Item
Headlights	- Operation/Dip	✓
Side/Rear Stop Lamps	- Operation/Damage	✓
Direction/Indicators	- Operation/Damage	✓
Accident Damage	- Effective Repair	✓
Cab Mounting	- Security	✓
Wings	- Security/Damage	✓
Doors/Locks	- Security/Damage	N/A
Exhaust Smoke	- Excess	✓
Fuel Tank/Cap/Fuel Pipes	- Security/Leaks/Damage	✓
Hubs and Wheels	- Cracks/Nuts/Ringbutting	✓
Tyres	- Size/Correct. Pairing	✓
Tyre Condition	- Wear/Damage/Pressure	✓
Body	- Security/Condition/Damage	✓
Bumpers	- Security/Damage	✓
Bodywork	- Rust	✓
Towing Gear (if fitted)	- Security	N/A
Braking System	- Service Brake Condition	✓
	- Parking Brake Condition	✓
	- Service Brake Efficiency	✓
	- Parking Brake Efficiency	✓
	- Service Brake Efficiency	✓
Engine	- Acceleration	✓
	- Valves/Tappets	✓
	- Noise/Vibration	✓
	- Fuel/Carb/Ignition	✓
Visual Condition	- External	✓
Visual Condition	- Internal	✓
Condition of Seals		✓
Plate		✓
View to front and condition of glass		✓
Excessive smoke		✓

(3) UNDER VEHICLE	- Check for	Item
Chassis	- Cracks/Loose Bolts or Rivets	✓
Spring Shackles/Brackets	- Security/Damage	✓
Suspension	- Failure/Security	✓
Shock Absorbers	- Security/Leaks	✓
Engine Mountings	- Security/Failure	✓
Pipes and Hoses	- Security/Damage/	✓
	Leaks/Chafing	✓
Battery/Wiring	- Security/Insulation/Chafing	✓
Exhaust System	- Security/Blowing	✓
Spare Wheel and Carrier	- Security/Damage	N/A
Oil Leaks	- Excess Leakage	✓
Steering Box and Linkage	- Security/Damage/ Operation	✓
Chassis/Integral Construction Members	- Rust	✓
Transmission	- Security/Loose Bolts/Damage	✓
Brake Linings	- Wear/Adjustment	✓
Brake Drums	- Cracks/Security	✓
Brake Linkage	- Adjustment/Locking Devices	✓
Brake Wheel Units	- Leaks/ Security	✓
Stub Axles/Wheel Bearings	- Damage/Signs of Wear	✓
Ancillary Equipment	- Security/Damage	N/A
	- Security of mountings	✓
	- Condition of Belts	✓
Seat Belts	- Security of mountings	✓
	- Operation	✓

Defects Requiring Attention:  
Inspector's Report

Marking Code: ✓ Serviceable  
x Needing Attention  
NC Not Checked

Inspected by ... PASS/ML

Signed ... Date 16/01/09

Re-Inspected by .....

**Examples of trike private hire vehicle companies in the United Kingdom**

1. Trike Tours Scotland  
[www.triketoursscotland.co.uk](http://www.triketoursscotland.co.uk)

Based in Edinburgh, Scotland. This company provides chauffeured tours from 1 hour to full day to residents and visitors. They also provide trike rides for birthdays and special occasions.

2. North of England Trike Tours  
[www.ride-of-your-life.com](http://www.ride-of-your-life.com)

Based in Weardale, England. This company provides chauffeured tours from 1 hour to full day to residents and visitors. They also provide trike rides for weddings, proms, birthdays and special occasions.

3. Premier Trike Tours  
[www.premiertriketours.co.uk](http://www.premiertriketours.co.uk)

Based in Nottingham, England (approved by Nottingham City Council – refer to Doc. 4). This company provides chauffeured tours from ½ hour to four hours to residents and visitors in the Nottingham area.

4. Freedom Trike Tours  
[www.freedomtriketours.com](http://www.freedomtriketours.com)

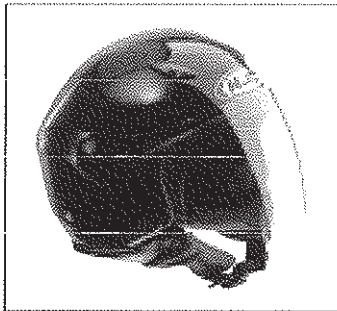
Based in the Lake District, England. This company provides chauffeured tours from ½ hour to three hours to residents and visitors in the Lake District.

**Protective clothing that will be provided**

**Helmets**

(Please refer to Road Traffic Act 1998 No. 1807, The Motor Cycles (Protective Helmets) Regulations 1998)

Although it is not required by law (see above) to wear a helmet on a motor tricycle, we will provide the following helmets:

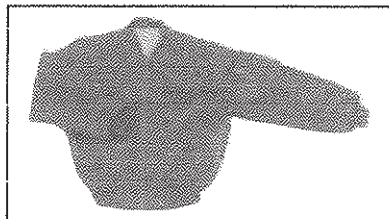


Helmet – HJC CL-25

Safety standard ECE22.05 ACU Gold standard.  
Quick release visor system  
Removable washable lining & cheekpads  
Removable chin curtain  
5 point ventilation

Sizes: S, M, L, XL

**Jackets**



Flight jacket

- US air force specification flight jacket (bomber jacket)
- Metal zip, elasticated wrists, hem and collar, reversible
- High quality nylon outer, soft padded polyester filling
- High visibility orange on reverse side
- Machine washable
- Windproof, water resistant

Sizes: S, M, L, XL

**Waterproof jackets and trousers**



Fully waterproof over jackets and trousers

Sizes: L, XL

- Designed to be worn over leathers or textiles
- Lined to ensure free movement
- Reflective panels all round
- Anti slip seat panel
- Quick change long ankle zip
- Inside leg heat-resistant fabric panels

**Protective clothing that will be provided**

**Gloves**



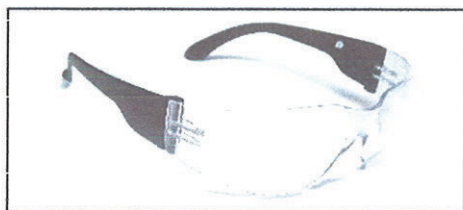
Waterproof and breathable glove  
Softshell textile material.  
Moulded knuckle protector, reinforced palms,  
finger grips, elasticated wrist and velcro closure  
at wrist and cuff.

**Hygienic hair covers**



Disposable hair covers to be worn  
underneath the helmet.

**Eye protection glasses**



Shatter-proof polycarbonate lenses, rated UV400.

Wraparound style with high sides providing superior  
peripheral protection.

Complies with European Directive 89/686/EEC

(The British Standard (January 2006) for goggles is BS EN 1938  
and BS4110:1999 for visors. Visors approved to BS4110:1999  
would also satisfy BS4110:1979 (eye protectors) and its  
amendments. BS EN1938 is the national derivative of the  
harmonised European standard prepared for the Council Directive  
89/686/EEC as amended.)

This page is intentionally left blank