

ROAD TRANSPORT LICENSING COMMITTEE

Committee Meeting

Minutes of a meeting held in public of the Road Transport Licensing Committee ("the Committee" or "the RTLCLC") held at 10:30 on Tuesday 14th February 2023 in the Silverdale Boardroom at Thie Slieau Whallian, Foxdale Road, St John's.

Present: Mr G Curphey (Chair)
Miss M Norman (Vice Chair)
Mr C Kniveton
Mr M Devereau

Absent: Mr J McBride

In attendance: Mr NC Capewell (Secretary)
Mr SM Callister (Project Co-ordinator)

The meeting commenced at 10:30

SJ Leech – PPV Operator Registration and Section 29 Service Licence ("S29 licence") Variations

The Secretary advised that Mr Leech wished to vary his operator registration under Part "A" of the Register of Public Passenger Vehicles ("PPVs") through the addition of the right to operate three Section 29 Ply for Hire vehicles of up to eight passenger seats in the North West District. He added that the RTLCLC office had received notification of an intention to surrender of a S29 licence, on which this District was specified on all three vehicles, from an existing operator. Accordingly there would be no change to the number of Section 29 Ply for Hire vehicles in the North West District that could be operated.

The Secretary stated that Mr Leech would like to further vary his registration through the addition of the right to operate one Private Hire car as well as the addition of four operating centres:

- Knock Foy Beg, Main Road, Santon
- Thompson's Car Park, South Quay, Douglas
- 10 Tramman Park, Anagh Coar, Douglas
- 12 Auburn Road, Onchan

He added that, should the application be approved, the following operating centres would be surrendered:

- 1 Cooil Close, Braddan
- 2 Lhondhoo Close, Onchan
- 19 Manor Road, Douglas
- 7 Cooyrt Drine, Ballasalla

Mr Leech entered the meeting at 11:23 and elected to give evidence under oath. Mr RD Teare and Mr PM Birchall also entered the meeting at this time as observers.

The Committee told Mr Leech that, while it could approve his S29 licence variation for the right to operate three extra ply for hire vehicles, it could not approve the Operator Registration variation application because he did not have enough approved operating centres at which the extra four PPVs could be kept. Mr Leech said that he understood and was expecting such an outcome until his additional operating centres had been identified and approved.

Mr Leech advised that he and his wife had recently sold Telecabs 2002 Ltd ("Telecabs"), their service provider business, after running it for 23 years. He continued by saying that, at the same time as purchasing Telecabs, the new owner had purchased another operator's Peel-based business which included four PPVs. They had done this without Mr Leech's knowledge. Had the new Telecabs owner consulted him first, Mr Leech said that he would have told him not to purchase the Peel-based business as he was not a registered PPV operator.

Mr Leech stated that the previous owner of the Peel-based business employed a number of drivers but these drivers all left the company when the new owner took over. This has resulted in both a lack of drivers and operating centres in Peel.

Mr Leech advised that he was approached by the new Telecabs owner and asked if the vehicles of the Peel-based business could be transferred into his Operator Registration. Mr Leech agreed and added that these new vehicles would not be operating until he could find new drivers and operating centres.

The Committee asked Mr Leech to leave the meeting so that it could discuss the application further. Mr Leech left the meeting, together with Mr Teare and Mr Birchall, at 11:42. The Committee then proceeded to discuss the applications in front of it.

Mr Leech, Mr Teare and Mr Birchall all re-entered the meeting at 11:51.

The Committee reminded Mr Leech of section 63(3) of the Road Transport Act 2001. As the registered operator of the vehicles which were going to operate in Peel, Mr Leech must either be their registered keeper, or have a loan agreement in place with the new owner of the vehicles (Telecabs). It suggested that such a loan agreement between himself and Telecabs did not have to be a complicated document and Mr Leech could forward a first draft to the Committee for guidance.

The Committee stressed to Mr Leech that such an agreement was absolutely necessary if he was not to be the registered keeper of the vehicles and any approval from the Committee would be dependent on it.

Mr Leech asked if another option would be for the new owner or Telecabs to apply to become registered as an operator in its own right. Mr Leech was told that the new owner or Telecabs would have to submit an application for a new Operator Registration if this was to be considered.

The Committee unanimously decided to approve the S29 licence variation as well as the part of the Registration variation to add four new operating centres and surrender four existing ones.

The Committee confirmed that it could not approve the additional four PPVs part of the Registration variation as Mr Leech currently did not have enough approved operating centres at which to keep these four extra vehicles. This part of the application was therefore deferred until Mr Leech was in a position to apply for further operating centres.

Mr Leech, Mr Teare and Mr Birchall left the meeting at 12:07.

The meeting was adjourned for private business and lunch at 12:10. It resumed at 14:17.

EG Services Ltd ("EG Services") – Operator Registration Variation Application

Mr Callister stated that the applicant wished to vary its Registration through the addition of one goods vehicle. He added that there were no new operating centres identified in this application.

Mr G Fletcher (EG Services owner) was already present in the boardroom as he had been dealing with other matters in the private meeting and he elected to give evidence under oath.

Mr Fletcher confirmed that the additional vehicle was required to move his plant around rather than relying on other operators to do it for him. He added that the vehicle would be used a couple of times per week on average.

The Committee considered the application and unanimously decided to approve it.

Mr Fletcher left the meeting at 14:23.

Urgent Matters as Approved by the Chair

There were no other urgent matters that had not previously been discussed. As a result, the meeting closed at 14:25.

The minutes were signed by the Chair Mr G Curphey on 9th May 2023

Noel Capewell
Secretary
Road Transport Licensing Committee