

## **ROAD TRANSPORT LICENSING COMMITTEE**

### **Committee Meeting**

Minutes of a meeting held in public of the Road Transport Licensing Committee ("the Committee" or "the RTLCL") held at 13:56 on Tuesday 27<sup>th</sup> September 2022 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  
                                 Mr J McBride

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

The meeting commenced at 13:57.

#### **Hitchens (Removal & Storage) Ltd – New GV Operator Registration Application**

Mr Callister advised that the applicant wished to apply for an Operator Registration and operate two goods vehicles. The registered address / proposed operating centre was identified in the application as Unit 4, Clock Tower Industrial Estate, Foxdale. Mr Callister added that the applicant was an existing operator and, should this application be successful, it will replace his existing Operator Licence.

Mr T Hitchen (the business owner) entered the meeting at 13:59 and elected to give evidence under oath. He confirmed that he had been in the removals business for 40 years and currently operated two goods vehicles of 13,000kg and 7,500kg respectively.

The Committee asked Mr Hitchen to explain how his business was going to operate without being able to operate goods vehicles in the United Kingdom ("UK"). Mr Hitchen explained that he had explored operating a trailer system during Covid-19 and had decided to continue with this arrangement in conjunction with a number of UK partners and DAM Plant Hire Ltd, a Manx operator, instead of taking a CPC qualification. He confirmed that loading and unloading of trailers usually took place at his operating centre in Foxdale.

Mr Hitchen stated that Outdoor Power & Plant Ltd ("OPP") performed regular safety inspections on his vehicles and that he monitored daily checks on both of his goods vehicles. He added that his was a small business of which he was in full control.

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

Mr Hitchen left the meeting at 14:06.

The Committee asked the Secretary to write to Mr Hitchen, thanking him for his attendance and formally approving his application.

### **Castlebay Seafoods Ltd – GV Variation Application**

Mr Callister said that the applicant wished to vary an Operator Registration through the addition of two goods vehicles. There were no new operating centres identified with application confirming that the extra vehicles will be stored at their existing operating centre inside a purpose-built shed. He added that the applicant had yet to obtain planning approval for their operating centre at Mill Road, Peel. As an existing operator, they had until 31<sup>st</sup> December 2023 to do so.

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

### **Manx Construction & Groundworks Ltd – New GV Operator Registration Application**

Mr Callister advised that the applicant wished to apply for an Operator Registration and operate two goods vehicles. He added that the registered address was identified in the application as 18 Highcroft Avenue, Douglas and the proposed operating centre was identified as Upper Ballachrink Farm, Ballasalla.

Mr Callister confirmed that the applicant had received planning approval for his operating centre and that planning approval confirmed that the applicant was only permitted to keep one goods vehicle there.

Mr A Sharkey (business owner) entered the meeting at 14:32 and elected to give evidence under oath. He confirmed that he ran a small building company and wanted to operate up to two goods vehicles on occasions that his existing smaller vehicles weren't sufficient.

The Committee referred to Mr Sharkey's planning approval and wondered how this would affect his operations. Mr Sharkey advised that he would sell one vehicle to his mechanic and that vehicle was currently off the road. Should he need to operate a second goods vehicle in future, Mr Sharkey confirmed that he would make another Planning Application.

Mr Sharkey confirmed that he was the only driver so would complete daily checks himself on the days the vehicle was used. He added that OPP performed regular maintenance on the vehicle and checked the vehicle being submitting it for its annual roadworthiness test. Nevertheless, the Committee recommended that, if he employed any drivers in the future, Mr Sharkey should draw up contracts which obliged them to inform him should their medical circumstances change so that their ability to drive was affected, or if they were convicted of any offences. It added that, as the responsible officer for the business, he was required to inform the Committee in writing of any offences committed by anyone in the business associated with their transport undertaking. Mr Sharkey advised that, as his employees were involved with heavy lifting, they were already required to tell him about changes to their medical circumstances. The Secretary advised Mr Sharkey to consult section 20 of the Road Transport Act 2001 ("the Act").

The Committee also recommended that Mr Sharkey record his daily checks and other maintenance records in writing, so that written records could be produced if his maintenance arrangements were ever called into question, for instance following an accident involving his goods vehicle. Mr Sharkey agreed to look at the RTLC website for examples of this.

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

Mr Sharkey left the meeting at 14:47.

The Committee asked the Secretary to write to Mr Sharkey, thanking him for his attendance and formally approving his application.

### **Urgent Matters as Approved by the Chair**

There were no other urgent matters that had not previously been discussed. As a result, the private meeting closed at 14:53.

**The minutes were signed by the Chair  
Mr G Curphey on 29th November 2022.**

Noel Capewell  
Secretary  
Road Transport Licensing Committee