

## **ROAD TRANSPORT LICENSING COMMITTEE Committee Meeting**

Minutes of a meeting held in public of the Road Transport Licensing Committee ("the Committee" or "the RTALC") held at 09:30 on Wednesday 29<sup>th</sup> March 2023 in the Silverdale and Ballaglass Boardrooms 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 09:45 in the Silverdale Boardroom.

### **Adventureology – New PPV Operator Registration**

The Secretary advised that the applicant wished to register as a new operator under Part "B" of the Register. He added that the application also contained a request for the right to operate one Private Hire minibus and the registered address was identified in the application as 2A Water Street, Ramsey while the operating centre was identified as Whispering Trees, Glen Road, Ballaugh.

Mr Melling and Miss Lantry, the business owners, entered the meeting at 10:05 and both elected to give evidence under oath.

Miss Lantry stated that the business involved various outdoor adventure activities for people of all ages, such as mountain biking, canoeing and hiking. Mr Melling confirmed that the minibus would solely be used to transport customers from their homes, hotels, etc to activity centres and back again. He added that the minibus was a 16-seater 2007 Purgeot vehicle that had recently passed its roadworthiness test and would be kept at his private residence.

Mr Melling said that he and Miss Lantry would be the only PPV drivers for the time being and that they would carry out daily checks on each day that the vehicle was used. He added that bi-monthly safety checks would be carried out at a local garage in the North of the Island with servicing being carried out by a larger garage in Douglas. The Committee suggested to Mr Melling that keeping copies of maintenance records was a good idea should, for example, the vehicle be involved in an accident and he was required to produce these records. Mr Melling understood the need for a paper trail, and was familiar with such requirements as maintenance regimes were also required for the equipment used for the business.

Mr Melling and Miss Lantry both confirmed they knew where to find the Road Transport Act 2001 ("the Act") on the RTALC website. The Committee reminded them that, should they employ any drivers in the future, they should enter into contracts which obliged the drivers to inform them if they were convicted of any offences or if their medical circumstances changed to the extent that it affected their ability to safely drive a PPV.

Mr Melling and Miss Lantry both advised that they had sufficient financial resources to maintain the transport undertaking.

Mr Melling asked if other people could drive the minibus if it wasn't carrying passengers. The Secretary stated that this was permitted as long as the minibus' operator disc was removed from the windscreen while it was being operated as a PPV.

The Committee unanimously decided to approve the application.

Mr Melling and Miss Lantry left the meeting at 10:21.

### **Mr P Convery – New PPV Operator Registration**

The Secretary stated that the applicant wished to register as a new operator under Part "A" of the Register. The application also contained a request for the right to operate one Private Hire car.

The registered address and operating centre was identified in the application as 50 Faaie ny Cabbal, Kirk Michael.

Mr Convery entered the meeting at 10:36 and elected to give evidence under oath.

Mr Convery explained that he currently worked full time in the financial services sector and had weekend jobs as a base operator for a local PPV service provider and as a delivery driver. His intention was to work part time as an operator/driver over the next five to ten years while scaling back his other jobs until he was able to operate his PPV full time.

Mr Convery was asked about his responsibilities as an operator. He confirmed that he understood what he was and wasn't permitted to do as a private hire operator regarding not operating from the ranks and only having pre-booked work. He intended to use a service provider in Douglas and operate an executive style car, preferably a hybrid, with low mileage. He added that he had read the Guide to Maintaining Roadworthiness on the RTLC website and understood that he should keep recorded daily checks and records of defects for a minimum of 15 months. It was his intention to service the vehicle every 10,000-12,000 miles, or at least twice a year, and would use a local garage in the North of the Island for three-monthly regular safety inspections.

Mr Convery advised that he had sufficient financial resources to maintain the transport undertaking and he was told that the list of Class A Executive style private hire vehicles had now been withdrawn.

Mr Convery stated that he would be the only driver of the vehicle. The Committee, nevertheless, advised him that should he employ any drivers in the future he should enter into contracts which obliged the drivers to inform him if they were convicted of any offences or if their medical circumstances changed to the extent that it affected their ability to safely drive a PPV.

Mr Convery confirmed that he had off-road parking at his home address where his PPV would be kept when not in use.

The Committee unanimously agreed to approve the application.

Mr Convery left the meeting at 10:51.

### **Minutes of a Meeting Held in Public – 16<sup>th</sup> March 2023**

The minutes were read, reviewed and approved as a true reflection of that meeting following minor amendments.

The meeting was adjourned for private business at 10:57 and resumed at 11:34.

## **Mr JR Hanley – New PPV Operator Registration and Section 29 Ply for Hire Service Licence (“S29 Service Licence”)**

The Secretary said that the applicant wished to register as a new operator under Part “A” of the Register. The application also contained a request for the right to operate one section 29 Ply for Hire vehicle of up to eight passenger seats in the East District (wheelchair accessible). He added that notification had been received from Mr P Langridge of the intent to surrender part of his section S29 Service Licence provided that Mr Hanley’s application was approved by the RTLC. Should the application be approved it would not result in any extra Ply for Hire vehicles being able to operate in the East District.

The Secretary advised that Mr Langridge’s vehicle, a 2012 Peugeot Partner, would be included as part of the transfer of his business, Mr Langridge to Mr Hanley including the vehicle, a 2012 Peugeot Partner.

The Secretary stated that the registered address / operating centre was identified in the application as 22 Robert Stephen Close, Douglas.

Mr Hanley entered the meeting at 11:35 and elected to give evidence under affirmation.

Mr Hanley said that he worked in an office during the week and drove PPVs at the weekend. His intention was to transition out of the office in around 12-18 months to work as a full time PPV operator/driver.

Mr Hanley confirmed that he had off-road parking at his home address where his PPV would be kept when not in use.

Mr Hanley advised that he intended to continue working as a taxi driver on Friday and Saturday evenings, increasing to working any evening over time. He said that he already performed daily checks as a PPV driver and would be using a garage in Douglas as his regular maintenance provider, with a mini service to be carried out every 5,000 miles and a full service every 10,000 miles. He circulated examples of blank daily check sheets for the Committee to inspect.

Mr Hanley stated that he regularly spoke to other operators and intended to be the only driver of his vehicle. Nevertheless, the Committee advised him that, should he employ any drivers in the future, he should enter into contracts which obliged the drivers to inform him if they were convicted of any offences or if their medical circumstances changed to the extent that it affected their ability to safely drive a PPV.

Mr Hanley confirmed that he had sufficient financial resources to maintain the transport undertaking. The Committee recommended that Mr Hanley should consult the RTLC website and have a look at the legislation contained on it to fully understand his responsibilities under the Act.

The Committee asked Mr Hanley if he intended to carry out any private hire work, especially since he was purchasing a wheelchair accessible vehicle (“WAV”), and well as plying for hire. Mr Hanley said that he had some contacts gained through his driving experience, so private hire work would form part of his business going forward. He confirmed that Mr Langridge had shown him how to use the WAV and gave a commitment that he would continue to provide a service for wheelchair customers.

The Committee unanimously agreed to approve the application.

Mr Hanley left the meeting at 11:50.

The Secretary to write to Mr Hanley to say that the RTLC was pleased to note his commitment to providing a wheelchair accessible service.

The meeting was adjourned for private business and lunch at 11:59. Mr Curphey left the meeting at this time. The meeting resumed at 14:40 in the Ballaglass Boardroom and Miss Norman assumed the role of Chair for the remainder of the meeting.

### **Miss BL Wicklow – PPV Operator Registration Variation**

The Secretary advised that the applicant wished to vary her operator registration under Part "A" of the Register of Public Passenger Vehicles through the addition of a Private Hire minibus and an operating centre. He added that the new operating centre was identified in the application as 9 Cullyn Path, Anagh Coar.

Miss Wicklow was already in the room as a result of attending the private meeting immediately preceding the meeting held in public. She elected to give evidence under oath. Mr MK Rycraft was also in the room following the private meeting but he remained purely as an observer.

Miss Wicklow stated that she had received an increasing number of requests from wheelchair customers, both directly and in conjunction with a Douglas service provider, and she currently wasn't able to service these. She added that 9 Cullyn Path has a designated car parking space and she had obtained permission from the occupier to use it as an operating centre.

Miss Wicklow was asked about the financial impact of operating an extra vehicle. She confirmed that she would still have sufficient financial resources to maintain her transport undertaking even with the extra burden of an additional vehicle. She added that the minibus would perform regular private hire work until a contract could be organised for it operate as a WAV.

The Committee unanimously agreed to approve the application.

Miss Wicklow and Mr Rycraft left meeting at 14:48.

### **Mr SJ Leech – PPV Operator Registration Variation**

The Secretary reminded the Committee that it had considered an application from Mr Leech to vary both his operator registration and S29 Service Licence at the 14<sup>th</sup> February 2023 meeting.

Mr Leech wanted to vary his operator registration under Part "A" of the Register of Public Passenger Vehicles 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. The RTLC had received notification from Terry's Taxis of an intention to surrender its S29 Service Licence provided that Mr Leech's application was approved by the RTLC. Should the application be approved it would not result in any extra Ply for Hire vehicles being able to operate in the North West District.

The S29 Service Licence variation had been approved but not the operator registration variation as Mr Leech had yet to apply for sufficient operating centres to allow for the increase in PPVs.

The Secretary said that Mr Leech had applied for two new operating centres to accommodate the new vehicles in the North West District:

- 15 Peveril Road, Peel
- Flat 4, 1-3 Elm Drive, Onchan

As a result Committee unanimously agreed to approve the application of Mr Leech to vary his operator registration.

### **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 15:00.

## **The minutes were signed by the Chair Mr G Curphey on 18th April 2023**

Noel Capewell  
Secretary  
Road Transport Licensing Committee