
Licensing and Regulatory Committee

2 March 2007

Report of the Director of Neighbourhood Services

APPLICATION FOR PRIVATE HIRE VEHICLE LICENCE FOR A FAMILY 3 WHEEL MOTORCYCLE

Summary

1. The conditions of application for a private hire vehicle licence are designed for the licensing of ordinary four wheel, four door motor cars. This report seeks Members' approval to licence a three wheel tricycle with two passenger seats as a private hire vehicle subject to appropriate conditions.

Background

2. An application for a private hire vehicle licence has been received in respect of a Rewaco HS5i Family 3 wheel tricycle with two rear passenger seats.
3. It is the applicant's intention to operate as a tourist facility mainly providing sight seeing journeys around the city.
4. A copy of the letters of application are attached at annex 1 and a leaflet about the vehicle is attached at annex 2.
5. Members unfamiliar with this type of vehicle may have seen Billy Connolly's televised trike tour of England and Ireland which was on a three wheel trike.
6. The applicant has been invited to attend the meeting to answer any questions from Members about his plans for the operation of the vehicle. Members will also have the opportunity to view the vehicle at the rear of the Mansion House prior to the start of the meeting.
7. The Council issue licences for private hire vehicles subject to prescribed conditions under the provisions of the Local Government (Miscellaneous Provisions) Act 1976.
8. No licence is granted unless the Council is satisfied that the vehicle is:
 - (i) suitable in type, size and design for use as a private hire vehicle
 - (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage

- (iii) in a suitable mechanical condition
 - (iv) safe, and
 - (v) comfortable
9. A Council may also attach to the grant of a licence such conditions as they may consider necessary. The conditions currently attached to private hire licences relate generally to ordinary four wheel, four door type motor cars.
 10. According to the legislation relating to the licensing of private hire vehicles there appears to be no particular reason why a three wheel tricycle should not be licensed.
 11. The Rewaco HS5i family tricycle complies with European Regulations and may be driven with a standard car licence or full motorcycle licence (pre-February 2001 motorcycle licence).
 12. Enquiries have revealed that two councils in the Lake District, Allerdale Borough Council and South Lakeland District Council, have licensed similar vehicles.
 13. Should Members approve the vehicle to be licensed as a private hire vehicle it will be subject to the normal conditions attached to a private hire vehicle modified to accommodate a Rewaco three wheel tricycle.
 14. In addition, the following conditions for safety and comfort of passengers are proposed:
 - (i) All passenger seats to be fitted with seat belts, such installation to be carried out prior to the issue of the licence.
 - (ii) No more than two passengers to be carried on the rear seats at any one time.
 - (iii) Helmets must be available to all passengers free of charge though the wearing of them is optional.
 - (iv) A luggage compartment is provided at the rear of the vehicle where the licence plates can be fixed.
 - (v) Children under 11 years of age are not to be permitted to travel on the vehicle unless accompanied by an adult.

Consultation

15. None required.

Options

16. Option 1: Members are recommended to approve the Rewaco three wheel tricycle to be licensed as a private hire vehicle, subject to the conditions contained within this report.

Option 2: Members are recommended to approve the Rewaco three wheel tricycle to be licensed as a private hire vehicle with modified or additional conditions.

Option 3: Reject the application.

Analysis

17. The reasoning and analysis of the proposal has been set out in previous paragraphs.

Corporate Priorities

18. Not applicable.

Implications

19. **Financial**

If approval is granted the necessary licence fees are payable.

Human Resources (HR)

There are no Human Resource implications.

Equalities

There are no equalities implications.

Legal

To ensure that members of the public are transported safely in appropriately licensed vehicles driven by identified licensed drivers.

Crime and Disorder

There are no crime and disorder implications.

Information Technology (IT)

There are no information technology implications.

Property

There are no property implications.

Other

There are no other implications.

Risk Management

20. In compliance with the Council's risk management strategy any decisions made which are unreasonable or unlawful could be open to legal challenge resulting in loss of image, reputation and potential financial penalty.

Measured in terms of impact and likelihood the risk score has been assessed at less than 16. This means that at this point the risk need only provide a real threat to the objectives of this report.

Recommendation

21. Members are recommended to:

- (1) approve the Rewaco HS5i family tricycle be licensed as a private hire vehicle subject to the normal conditions attached to a private hire vehicle modified to accommodate a three wheel tricycle with the following additional conditions:
- (i) All passenger seats to be fitted with seat belts, such installation to be carried out prior to the issue of the licence.
 - (ii) No more than 2 passengers to be carried on the rear seat at any one time.
 - (iii) Helmets must be available to all passengers free of charge though the wearing of them is optional.
 - (iv) A luggage compartment.

Contact Details

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Report Approved



Date

19th February
2007

Specialist Implications Officer(s)

None

Wards Affected:

All



For further information please contact the author of the report

Background Papers

Local Government (Miscellaneous Provisions) Act 1976

Annexes

Annex 1 – Letters of application from Mr D Black

Annex 2 – Rewaco HS5i vehicle specification brochure

30 January 2007

jl/nr/comm/020307 Application for Private Hire Vehicle Licence