

**LARGER PRINT COPY AVAILABLE  
PLEASE TELEPHONE: 01493 846325**

**LICENSING COMMITTEE**

**9 July 2008 - 6.00 pm**

**PRESENT:**

Councillor Jermany (Chairman); Councillors M Coleman, Pettit, Holmes, Grey, Walker, Tate, Watts, Barker and Williamson.

Mrs L Mockford (Licensing and Elections Manager), Mr F Hoyle (Licensing Officer), Miss I Prince (Legal Officer) and Mrs C Webb (Member Services Officer).

**1. MINUTES**

The minutes of the meeting held on 16 April 2008 and the confidential minutes of the same date were confirmed.

**2. APPLICATION FOR A PRIVATE HIRE VEHICLE**

The Licensing and Elections Manager requested Members to consider an application for a Private Hire Vehicle Licence to licence a limousine.

The popularity of hiring limousines for special occasions had increased dramatically, for example, school prom night and weddings.

Many licensing authorities had been reluctant to licence stretch limousines because of their size and the fact that they were often imported left hand drive vehicles with tinted windows, however, many now license these vehicles rather than have them operate unlicensed in their districts.

The Department of Transport Best Practice Guidance for Taxi and Private Hire Vehicles stated that such vehicles had a legitimate role to play in the private hire trade and applications should not be automatically rejected because the vehicles could not comply with the current conditions.

The majority of all stretched limousines were converted from Lincoln Town Cars, these vehicles could not be stretched safely unless the original fittings, for example, rear brake drums and tyres were removed and replaced with heavy duty items. Ford Motor Company and the Cadillac Motor Company had introduced assessments to approve vehicle converters, these were known as the Quality Vehicle Modifier (QVM) and the Cadillac Master Coach Builder (CMC) schemes.

The Department of Transport suggested that Licensing Authorities might wish to ensure that such vehicles complied with the Single Vehicle Approval (SVA) inspection regime. The SVA

test was a pre-registration engineering assessment which verified that the converted vehicle was built to certain safety and environmental British Standards and could only be used to approve passenger car seating up to eight passengers, plus the driver. Larger limousines were not suitable for the SVA scheme.

It was reported that Great Yarmouth Borough Council had adopted a pre-licensing list of requirements to cover vehicles which had been stretched to carry up to eight passengers. In addition to the policy, the vehicles were subjected to the Council's General Vehicle Policy, which was not to accept vehicles for licensing which exceeded nine years of age on initial registration or renewal and which must also pass the certificate of compliance test to ensure the road worthiness of the vehicle.

The applicant had applied for a private hire vehicle licence for a Ford Lincoln Town Car. The vehicle was first registered on 8 November 1997, so it was more than nine years old. The applicant had not been able to produce SVA or QVA certificates and the rear facing and side seats of the vehicle were currently not fitted with seatbelts, therefore, the vehicle did not meet our licensing criteria.

Officers had met with the applicant on several occasions, as he was keen to register his vehicle and wanted to ensure that he was operating legally. He had submitted a report on the chassis' extension and also had his vehicle tested at Waveney District Council's MOT Testing Station. This was arranged as Officers felt that the Testing Stations used for existing taxis and private hire vehicles did not have the expertise required for the testing of these specialist vehicles.

Although the vehicle failed the Certificate of Compliance Test, it failed for cosmetic reasons only. It had been reported that the vehicle was mechanically sound and had been well maintained throughout the life of the vehicle. The vehicle had also been checked to ensure that the manufacturer stretched the vehicle in accordance with QVM Standards. The applicant has indicated that he was willing to install lap belts in the vehicle in order to comply with licensing requirements.

A Member requested clarification that the draft Limousine Policy for Stretched Limousines and Specialist Vehicles was operated by Waveney District Council.

**RESOLVED:**

- (i) That the licence be granted, subject to the vehicle passing the recommended Certificate of Compliance Test for limousines, this would include two further spot checks during the licensing year.
- (ii) That the Head of Central Services be requested to adopt the same testing standards for any further applications for private hire licences from limousines or special event type vehicles.
- (iii) That the MOT Station at Waveney District Council be authorised to carry out the testing of limousines and other special event type vehicles on behalf of the Licensing Authority.

### **3. UNIFORM FOR SECOND CLASS HACKNEY CARRIAGE DRIVERS**

The Chairman gave an update regarding discussions which had been held with representatives of the Landaus to discuss the possibility of a uniform being adopted by the

Landau Owners who operated Second Class Hackney Carriages along the Great Yarmouth Seafront.

Since the last meeting, spot checks had been undertaken which had resulted in the understanding that the Landau Operators were not wearing the uniform. The Chairman reported that if appropriate action was not taken quickly, that the wearing of uniform during the 2008 Summer Season would not take place.

It was reported that of the 17 Landau Operators, five had signed the undertaking to wear the uniform, five had refused outright, and one operator agreed to wear a uniform, but not the uniform that had been proposed by the Committee.

The Chairman requested that the Committee moved on to the next step in the process of implementing a Byelaw to ensure that the Landau Operators would be required to wear a uniform when operating a Second Class Hackney Carriage in the Borough.

He felt that the amount of money invested by the Authority to improve the Seafront street scene, the reluctance of the Landau Operators to adopt a simple uniform was letting the Borough down. The Chairman requested that the Committee instruct Officers to start the process of drawing up the relevant byelaw.

However, the Chairman would write to all of the Landau Operators once more, to see if this matter could still be settled amicably.

A Landau Operator who was present at the meeting, reported that he would be reluctant to make the financial outlay to purchase the proposed uniform whilst it was not adopted by all of the drivers.

Several Members agreed with the proposal of a uniform to present a smart appearance by the Landau Operators. A Member questioned why a Byelaw had to be applied for by the Council and whether the provision of a uniform could not be made a condition of licence instead.

**RESOLVED:**

That the Officers compile a report regarding the implementation of the relevant Byelaw to ensure that Landau Operators were required to wear a uniform as part of the conditions of a Second Class Hackney Carriage Licence.

**4. EXCLUSION OF PUBLIC**

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act.

**5. FIRST CLASS HACKNEY CARRIAGE DRIVER'S LICENCE – UNSPENT CONVICTION**

The Licensing Committee was asked to consider the licence of a first class Hackney Carriage Driver with an unspent conviction.

RESOLVED:

That the driver kept her First Class Hackney Carriage Driver's License, subject to undertaking a special medical examination for drug addiction and was issued with a formal warning.

**(Confidential Minutes on this item)**

**6. CLOSURE OF MEETING**

The meeting ended at 6.45 pm.