

LICENSING COMMITTEE



2 MARCH 2012 - 10:00 AM

PRESENT: Councillor Mrs K F Mayor(Chairman), Councillor G G R Booth, Councillor Mrs V M Bucknor, Councillor D W Connor, Councillor M J Curtis, Councillor P Hatton, Councillor A Miscandlon, Councillor C C Owen, Councillor R Skoulding.

APOLOGIES: Councillor Mrs C R Cox, Councillor M J Humphrey, Councillor B M Keane

Kim Winterton (Licensing Regulatory Officer), Mick Gipp (Safer Fenland Manager), Ian Hunt (Solicitor), Jane Webb (Member Services)

L9/11 TO SIGN AND CONFIRM THE MINUTES OF THE MEETING OF 3 NOVEMBER 2011.

The minutes of the previous meeting were confirmed and signed.

L10/11 LICENSING OF SPECIAL EVENT VEHICLES

The Chairman asked if there were any members of the public waiting in reception; this was checked and there were none.

Kim Winterton presented the Licensing of Special Event Vehicles report.

Councillor Booth suggested that the second recommendation of a consultation be taken, with the situation of limousines from outside the area coming into Fenland, considered in forthcoming deliberations.

Councillor Curtis stated he was not against a consultation provided it was open and an evidence case built up to show what extent Fenland has a problem and if those running these companies are fit and proper which may result in conditions being implemented.

Councillor Owen stated his major concern was for the safety of the public and in particular the youngsters that hire stretch limousines during the prom season and the concern of limousines from outside the district operating in Fenland.

Kim Winterton explained that Fenland does not currently have a policy and this is attracting companies into Fenland who then set up as limousine businesses that Fenland are unable to regulate. If these limousines then operate outside Fenland, in areas that are licensed, questions may be asked as to why Fenland is not licensed. The Government has stated that limousines should be licensed and VOSA have issued guidelines defining the criteria of what is expected from special event vehicles which Kim will circulate to Members.

Councillor Owen clarified that presently anyone could drive a hired limousine picking up youngsters to take to their proms having never driven one previously.

Councillor Miscandlon asked regarding imported, constructed limousines from America, what legislation covered these in this country? Kim Winterton referred back to the VOSA Guidance and stated that if Fenland did license limousines then a specialist would be needed.

Councillor Curtis asked how alcohol licensing within the vehicles worked. Kim Winterton explained that alcohol could be included but a premises licence would be needed. Ian Hunt explained that a vehicle had to be stationary if the driver is handing over alcohol but passengers drinking whilst moving are allowed; it is the control of supply point that is regulated.

Councillor Connor asked if a licence was needed if passengers took their own alcohol to which Kim Winterton stated a licence would not then be needed.

Councillor Mrs Bucknor stated that parents would currently assume that if a stretch limousine is hired then the vehicles and drivers would both be fit and proper and she supported that market research should be carried out and stated that all special events vehicles be included, not just limousines. Councillor Mrs Bucknor also stated that Fenland would need a specialist to inspect the vehicles. Kim Winterton explained this has already been looked into and our closest specialist is at Wisbech St Mary.

Councillor Hatton stated he was in favour of stretch limousines but was concerned with specialist vehicles that are only used three times a year for weddings. Ian Hunt explained that there are some exemptions that fall outside the guidelines and this included vehicles for weddings and funerals. He explained that specific old vehicles that needed to be licensed but fell outside the policy would need to come to a hearing where it would be considered.

Councillor Connor asked how the policy would consider old cars that are used in carnivals and processions. Kim Winterton explained that only private hire vehicles are included within the policy.

Councillor Hatton asked why Fenland's mechanics could not be trained by VOSA to which Kim Winterton replied this would be a decision for the Environmental Health team; Mick Gipp added that this should be looked at within the consultation.

Councillor Booth asked Fenland to ensure the consultation is well publicised to which Kim Winterton replied that information for both the trade and public had already been planned to ensure feedback is received.

It was DECIDED that officers be authorised to:

- 1. Firstly undertake thorough market research and then**
- 2. Undertake consultation for a 12 week period start on or around 26 March 2012 to 18 June 2012 to seek the views of the public, business owners and the taxi/PHV trade and licensed operators/drivers on the licensing of special event vehicles and stretched limousines as PHVs;**
- 3. Consult with safety organisations regarding the special testing of drivers of such vehicles; and**
- 4. Report back to the Licensing Committee on findings**

L11/11 TAXI TARIFF

Councillor Owen, Portfolio Holder, presented the report and a proposal for a new tariff.

Mick Gipp stated that at a previous Licensing Committee it had been expressed that with regard to the tariff it would like to see Fenland fall in the middle of those Councils most similar and this report would put Fenland in the centre.

Councillor Mrs Mayor asked if this was a request from the taxi trade to which Councillor Curtis replied it was from Fenland Taxis which is just one element of the taxi trade. Kim Winterton stated this would need to go out to consultation.

Councillor Mrs Booth stated she empathised with taxi drivers as they do have to earn a living and fuel has become expensive but the increase would seriously impact those that use taxis for their weekly shopping. Kim Winterton explained this would not be the case as one mile will still cost £3.30.

Councillor Curtis asked why the soiling fee had been raised even though this had not been requested. Kim Winterton stated that average cost of valeting is £80 plus the expense of not being able to continue working for the night.

Councillor Hatton asked what right taxi drivers have to increase their fares when other companies cannot charge more just because the cost of fuel has risen. Councillor Owen stated that the current tariffs in Wisbech are the cheapest internationally and they have the added expense of fuel and insurance. Councillor Hatton replied stating that wages were low in Fenland and this would be hard on the public. Kim Winterton explained that taxis and private hire vehicles are a huge part of Fenland because of the rural villages and limited public transport and that Fenland is actually losing these cab drivers as they are unable to make a living. Councillor Curtis stated this needs to be looked at via the consultation when feedback is received and to look at other authorities with similar deprivation issues to Fenland.

Councillor Booth stated he was concerned that the tariff would inhibit those living in rural areas. Kim Winterton explained that a hackney carriage can only charge when there are passengers in the vehicle and private hire are a set price on booking.

It was DECIDED that the Taxi Tariff be APPROVED for consultation and adopted if appropriate.

10:55am

Chairman