

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING COMMITTEE – 26 NOVEMBER 2008

Title of report	CONSIDERATION TO BE GIVEN TO ADOPTING ‘STRETCH LIMOUSINES’ AS ACCEPTABLE VEHICLES TO LICENSE AS PRIVATE HIRE VEHICLES
Contacts	<p>Councillor John Bridges 01530 564645 john.bridges@nwleicestershire.gov.uk</p> <p>Commercial Services Manager 01530 454610 lee.mansfield@nwleicestershire.gov.uk</p> <p>Licensing Team Leader 01530 454844 stephen.eyre@nwleicestershire.gov.uk</p>
Purpose of report	For the Taxi & Private Hire Sub Committee to consider the question of the licensing of ‘Stretch Limousines’
Strategic aims	Strong and Safer Communities Prosperous Communities
<p>Implications:</p> <p>Financial/Staff</p> <p>Link to relevant CAT</p> <p>Risk Management</p> <p>Equalities Impact Assessment</p> <p>Human Rights</p> <p>Transformational Government</p>	<p>All resources directed to the administration and enforcement of the taxi licensing function must be recovered via taxi licensing fee and charges. No additional staffing resources would be required.</p> <p>Safer CAT</p> <p>There is a risk that the Council may encounter negative publicity should it decide not to agree a set of conditions for the licensing of ‘Stretch Limousines’. Any injury resulting from a road traffic collision involving a ‘Stretch Limousine’ may reflect negatively on the Council if it does not have in place a set of conditions for the licensing of these vehicles.</p> <p>Equality impact assessment to be undertaken during 2009/10.</p> <p>None</p> <p>None</p>

Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	All NWLDC hackney carriage and private hire driver and operators, Leicestershire Constabulary, NWLDC Neighbourhood and Communities Department. Members of the public through the Council's own web site and an advertisement in the Coalville & Ashby Times.
Background papers	None
Recommendations	<p>A) TO AGREE A POLICY FOR THE LICENSING OF 'STRETCH LIMOUSINES'.</p> <p>B) TO AGREE AND APPROVE THE LICENCE CONDITIONS FOR 'STRETCH LIMOUSINES'.</p> <p>C) TO DELEGATE THE IMPLEMENTATION OF THE SCHEME TO THE COMMERCIAL SERVICES MANAGER.</p> <p>D) TO DELEGATE THE MINOR AMENDMENT OF CONDITIONS TO THE LICENSING TEAM LEADER.</p>

1.0 BACKGROUND

- 1.1 The Authority does not currently license those vehicles commonly known as 'Stretch Limousines' (SLs). However, the authority has been asked to reconsider its position. To operate a private hire vehicle legislation requires that the vehicle is licensed, however, our current private hire vehicle conditions are unlikely to be satisfied due to the unique nature of 'stretch limousines'.
- 1.2 SLs are generally derived from ordinary American saloon cars but then extended in length by specialist coach builders, again in the USA. The completed vehicles can either be used in America and then imported to the UK or imported directly to the UK. Those vehicles imported brand new into the UK are probably of a standard that can be described as safe to be used on the roads here. The vehicles which have been used and then imported are much more problematic in that their mechanical integrity cannot be guaranteed. It is only when they enter the country can the vehicle be examined properly. If a vehicle is found to be in poor condition the importer is unlikely to go to the expense of returning it to America. It is known that some sub-standard SLs are being used on a regular basis in this country.
- 1.3 The Vehicle and Operator Services Agency (VOSA) is the government agency that checks the safety of vehicles on the roads of the UK. When a motor vehicle manufacturer wants to launch a new model they have to apply for type approval for that vehicle. To achieve a

type approval the vehicle has to be suitable for use on British roads and has to go through a rigorous safety test.

- 1.4 For imported and/or one off vehicles there is the Single Vehicle Approval (SVA) scheme, where vehicles are given a pre-registration safety inspection. SLs should have a SVA to show they are designed and constructed to acceptable standards.

2.0 LEGAL ISSUES

- 2.1 By virtue of Local Government (Miscellaneous Provisions) Act 1976 s 48(1)(a) before a local authority can license a vehicle as a private hire vehicle it must be 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 comfortable.

- 2.2 Previously, one of the reasons this Authority has not licensed this type of vehicle is that they operated under the contact exemption found within Section 75 of the Act and in any event authority did not have the facilities to ensure that they were safe to use on the roads. Following the repeal of Section 75 the authority should consider whether these vehicles should be licensed. In addition following the move of the Authority's testing depot to new facilities at Linden Way, Coalville now has the equipment to deal with such large vehicles.

- 2.3 The Council's current private hire vehicle conditions require that a PHV must have four doors and be big enough to carry at least 4 passengers in relative safety and comfort. SLs comply with this, with the main passenger compartment being very large and comfortable and each seat having its own seat belt.

- 2.4 It seems highly unlikely that the design and appearance of a SL would lead any person to believe that it is a hackney carriage.

- 2.5 In order to be deemed to be in a suitable condition the vehicle will need to undergo a strict test at our own depot. If, due to any reason, the depot cannot test a particular make or model of SL it should be understood that this will preclude that vehicle from being licensed.

- 2.6 Safety issues are more pronounced in a SL compared to more standard saloons. SLs are usually ornately finished inside with large expanses of glass mirrors and other fixtures and fittings. All internal fixtures should not be a hazard to any of the passengers.

3.0 ROAD SAFETY ISSUES

- 3.1 It is important to recognise how much of a road safety problem these cars could be to drivers, passengers and other road users. Local Authorities are in something of a dilemma. If they ignore requests from the trade to licence this style of vehicle there is always a chance that unlicensed vehicles will be used to carry unsuspecting passengers paying for the privilege of riding in a potentially dangerous vehicle. Any road accident

involving a SL is likely to be a high profile event even if they are licensed. A SL that isn't licensed but involved in an accident resulting in death or injury is likely to rebound on the Local Authority and its enforcement capability. The Local Authority may be asked the question - 'what did you do to prevent the illegal use of these vehicles'. Even if these vehicles are licensed there still remain numerous pitfalls to avoid. The vehicle needs to be tested at regular intervals.

- 3.2 Another effect of these vehicles is their length. Many roads in the district are narrow, with even small cars having difficulty negotiating them particularly if flanked with parked cars. Thought must be given to other road users. Their increased use in the locality may bring them into conflict with other road users.
- 3.3 Most SLs in use in this country are left hand drive. This Authority currently does not allow left hand drive cars to be licensed as Hackney Carriages or Private Hire Vehicles. If it is decided to allow a change for SLs we may come under pressure to allow left hand drive vehicles to be licensed as private hire or hackney carriages. However, this will be controlled through general private hire vehicle conditions.
- 3.4 Members should consider whether they wish to add a condition requiring all vehicles to be right hand drive. The cost of converting vehicle to right hand drive is likely to be quite expensive relative to the original cost of the vehicle. The vast majority of SLs are in fact left hand drive. If members decide only to license right hand drive vehicles a large number of SLs will remain outside of the licensing regime and the Authority will have difficulty enforcing against them.

4. PRIVATE HIRE VEHICLE LICENCE CONDITIONS

- 4.1 Under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976, a district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary.
- 4.2 Attached is a copy of the current Private Hire Vehicle Licence conditions (Appendix A).
- 4.3 As SLs have their own peculiar issues a draft copy of specific conditions has been attached (Appendix B).
- 4.4 Should a decision be taken to license SLs, consideration must be given to each of the draft conditions. Members are free to amend, alter or add to these conditions.

5 POLICE COMMENTS

- 5.1 At a recent meeting of the Leicestershire Licensing Forum, an officer from the Leicestershire Constabulary Road Policing Unit spoke on the subject of SLs. He was of the opinion that they should be licensed. He believed there were too many of these unlicensed vehicles on the road and because they were unlicensed they created a danger to the public. How could any prospective customer identify if the driver was 'fit and proper', the vehicle was roadworthy or adequately insured. Illegal vehicles will still remain should we decide to license SLs but the 'pool' of such vehicles will certainly diminish and be easier to identify and allow the Authority to take appropriate action.

6 CONSULTATION

- 6.1 Both the general public and taxi and private hire trade have been consulted. An advert has been placed in the Coalville and Ashby Times directing interested parties to the appropriate page on the Council's website. From there comments could be made electronically. All private hire and hackney carriage drivers and operators have been informed of the consultation, along with the Leicestershire Constabulary, Traffic Commissioners, NWLDCs Neighbourhoods and Communities department and vehicle inspection depot.
- 6.2 There have been four representations resulting from the consultation on 'Stretch Limos'.
- 1) Leicestershire Constabulary – Sergeant Chris Bradshaw
 - 2) Traffic Commissioner for Wales & West Midlands – Nick Jones
 - 3) Thistle Hotels - Jennifer Cook
 - 4) National Private Hire Association – Mike Ward

Their comments are summarised as follows:

- a) Leicestershire Constabulary – Have looked at the conditions on the web site and any reservations they had with regard to poor vehicles being licensed have been alleviated. They feel the 'Stretch Limo' conditions will prevent below standard vehicles being licensed.
- b) Traffic Commissioner for Wales & West Midlands – A personal call was received from the Traffic Commissioner himself. He felt that 'Stretch Limos' need to be licensed so that everyone is aware of the standard of vehicles being used and the drivers have been properly checked. No written letter received on the subject despite a request.
- c) Thistle Hotels – Endorsed that SLs should be licensed and couldn't understand why they weren't already.
- d) National Private Hire Association – Made the following comments
 - a. That SLs should be licensed correctly to 8 seats or PCV (covered in Definitions).
 - b. Lack of vision due to blacked out windows (covered in Condition 18).
 - c. Problems could be caused by only one exit door (covered by Condition 4).
 - d. Seat belts for all passengers (covered in Condition 19).
 - e. Loose items in passenger compartment, drinking glasses etc (covered in Condition 9).
 - f. Drivers to be covered by drivers test for limos, CRB checks and medicals (covered in Condition 3 and other areas).

7 IMPLEMENTATION / TRANSITIONAL PERIOD

- 7.1 Following the decision, the matter will be advertised and limousine drivers and operators contacted. The transitional period will continue up to and including 31 March 2008. From 1 April 2009 any unlicensed operators/drivers will be subject to legal action.
- 7.2 Following a decision on the frequency of vehicle testing an appropriate licensing fee will be determined. However, if the fees are charged in accordance with the Council's current fee

structure the cost will be £280 per annum. This is broken down into £200 for the licence plus two vehicle inspections at £40 per inspection.

8 IMPLICATIONS OF NOT AGREEING A LICENSING POLICY IN RELATION TO STRETCH LIMOUSINES

- 8.1 Due to the unique nature of SLs e.g. left hand drive vehicles, they are currently unable to meet our private hire vehicle conditions and would have a potential defence to any prosecution for failing to have a licence i.e. the Authority doesn't issue licences for SLs.. Therefore we would be left with the dilemma of potentially prosecuting for failure to have a licence knowing they couldn't comply with the conditions.

PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

Section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976 states that “A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this sub-section, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.”

1. VEHICLE AGE, DESIGN, COLOUR, SEATING AND APPEARANCE

- (a) All private hire vehicles must meet the standards as laid down by the Council with regard to standard of appearance. Vehicles shall have 4 doors and shall not have an engine capacity of less than 1250cc. Vehicles with any unrepaired accident damage, panels of a different colour to the rest of the vehicle, missing trims, dirty or damaged upholstery or generally shabby appearance will not be licensed.
- (b) Private hire vehicles must not be over 8 years old on the date of first application, with the exception of vehicles in an exceptionally well-maintained condition, subject to inspection at 6 monthly intervals.
- (c) The age of the vehicle is to be taken from the vehicle registration document. Where the age of a “Q” registered vehicle is not identifiable the age will be calculated as 3 years old at the date of “Q” registration in line with the policy of the DVLA and taken from the registration document.
- (d) With respect to seating, this should be padded. Slatted wooden seats are considered inadequate. Where seats are continuous, 1 foot 4 inches (approximately 41 centimetres) measured horizontally along the front of each seat, should be allowed for each passenger. Any vehicle which is constructed or adapted to seat more than 8 passengers cannot be licensed as a private hire vehicle.
- (e) The vehicle must not be left hand drive.
- (f) The vehicle must not be a convertible.

2. MAINTENANCE OF VEHICLE

The private hire vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements shall be fully complied with.

3. ALTERATION OF VEHICLES

- (a) No material alteration or change in the specification, design, condition or appearance of the private hire vehicle shall be made without the written approval of the Council at any time while the licence is in force.
- (b) Any liquid petroleum gas (LPG) vehicle conversion must be carried out by an approved LPG installer. Details of approved UK vehicle conversion companies can be obtained from the LP Gas Association.

4. IDENTIFICATION PLATE

The identification plate identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) act 1976 shall be securely fixed to the rear of the vehicle in a conspicuous position and in such a manner as to be easily removable by an authorised officer of the Council or a constable.

The proprietor or driver of the private hire vehicle shall report the loss of the identification plate to the Council Offices as soon as the loss becomes known. A replacement plate shall be issued upon payment of the appropriate fee.

PLEASE NOTE: THE IDENTIFICATION PLATE REMAINS THE PROPERTY OF THE COUNCIL.

5. SAFETY EQUIPMENT

Fire extinguisher

- (a) The proprietor of the vehicle shall provide a suitable and efficient fire extinguisher in the vehicle at all times when it is in use or available for hire.
- (b) Fire extinguishers should be readily visible and available for immediate use in an emergency. If it is not possible to locate the extinguisher in a conspicuous position within the vehicle, it may be stored in the boot provided that a notice stating the location of the extinguisher is clearly displayed.
- (c) The extinguisher must be maintained in good working order, the operating instructions must be legible and the driver of the vehicle must be familiar with its use.

THE COUNCIL'S HEALTH AND SAFETY OFFICER RECOMMENDS A DRY POWDER FIRE EXTINGUISHER.

First aid kit

- (a) The proprietor of the vehicle shall provide a suitable first aid kit (see suggested list of contents below) in the vehicle at all times when it is in use or available for hire
- (b) The first aid kit should be readily visible and available for immediate use in an emergency. If the design of the vehicle is such that a first aid kit cannot be carried in a position where it is easily visible, a sign shall be displayed on the vehicle dashboard indicating the position of the kit.

PLEASE NOTE: DRIVERS COULD BE LIABLE IF THEY RENDER FIRST AID.

THE COUNCIL'S HEALTH AND SAFETY OFFICER RECOMMENDS THAT A PRIVATE HIRE VEHICLE'S FIRST AID KIT CONTAINS THE FOLLOWING ITEMS WHICH ARE REQUIRED BY THE HEALTH AND SAFETY (FIRST AID) REGULATIONS 1981 FOR TRAVEL FIRST AID KITS.

first aid guidance leaflet
1 large wound dressing 18 x 18 centimetres
6 adhesive plasters
2 triangular bandages
6 safety pins
2 individually wrapped wipes
1 pair of disposable gloves

PLEASE NOTE: IN ADDITION TO THE ABOVE 2 ITEMS OF SAFETY EQUIPMENT, IT IS RECOMMENDED THAT EACH VEHICLE SHOULD CONSIDER CARRYING THE FOLLOWING ITEMS IN CASE OF EMERGENCIES.

A TORCH AND SPARE BATTERIES
WARNING TRIANGLE
ICE SCRAPER/ DE-ICER
EMERGENCY CARD WITH NAME, DATE OF BIRTH, BLOOD GROUP, ALLERGIES
AND EMERGENCY CONTACT NUMBER
SHRIEK ALARM TO DISORIENTATE ANY AGGRESSOR
DETAILED MAPS OF AREAS IN WHICH THE VEHICLE IS TRAVELLING
EXTRA PETROL IN A SAFETY APPROVED CAN
PUNCTURE AEROSOL

6. CHANGE OF ADDRESS

The proprietor of the vehicle shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change. A revised licence will be issued at no cost.

7. CONVICTIONS

The proprietor of the vehicle shall within 7 days disclose to the Council in writing details of any conviction (motoring or otherwise) imposed on him (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the private hire vehicle licence.

8. DEPOSIT OF DRIVERS' LICENCES

If the proprietor of the vehicle permits or employs a private hire driver to drive the vehicle, he shall, before that person commences to drive the vehicle, cause the driver to deposit his private hire driver's licence with the proprietor for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of the proprietor.

9. ROOF SIGNS

- (a) No signs shall be displayed on or above the roof of the vehicle.
- (b) Private hire vehicles are permitted to display any other means of identification (other than on or above the roof) providing that this does not include the word 'taxi' or 'cab' whether in the singular or plural or the words 'for hire' or any other word of similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage.

10. WINDSCREEN DISC

The proprietor of the vehicle shall cause the disc issued by the Council, and which gives details of the licence, to be affixed on the nearside of the front windscreen in such a position that it shall be clearly visible at all times.

PLEASE NOTE: THE DISC REMAINS THE PROPERTY OF THE COUNCIL

11. TRAILER

The proprietor of the vehicle shall comply with the following requirements in order for the vehicle to tow a trailer for the carriage of passengers' luggage.

- (a) The luggage trailer must be inspected and approved by the Council's authorised examiners.
- (b) The luggage trailer must meet the Construction and Use Regulations and where required the driver must hold the appropriate towing licence as issued by the DVLA.
- (c) No licensed vehicle may tow any trailer unless evidence of valid insurance to cover such use has been produced.

- (d) The identification plate, giving the private hire vehicle licence number, must be clearly displayed on the rear of the trailer used in addition to the plate on the rear of the private hire vehicle.
- (e) The contents of the trailer must be secured and covered in a proper manner.

12. ADVERTISEMENTS

Advertisements shall be allowed on private hire vehicles without prior inspection, provided that:

- (a) They comply with the British Codes of Advertising and Sales Promotion.
- (b) The licence holder shall remove or amend any advertisement if the Advertising Standards Authority requests that this be done.
- (c) No advertisements shall be of a party political nature or advertise cigarettes or tobacco products.
- (d) Any advertisements must be below window level, except in the front and rear windscreens.
- (e) The following conditions shall apply to any advertisement in the front or rear windscreen:
 - (i) Any advertisement in the front windscreen shall not obscure the swept area of the windscreen.
 - (ii) Any advertisement displayed on the rear windscreen must not obscure the driver's rear view vision. The advertisement must be visible from the outside but invisible from the inside (Licensing Committee 10 November 2004).
 - (iii) No more than one advertisement shall be permitted in the front windscreen and no more than one advertisement shall be permitted in the rear windscreen (Executive Board 24 October 2000).

13. DAMAGE TO VEHICLE

Any damage to the vehicle affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers carried therein shall be reported to the Council as soon as is reasonably practical and in any event within 72 hours of the occurrence (Section 50(3) of the 1976 Act).

14. CHILD SAFETY

When any child is travelling in the vehicle the child lock on the doors (if fitted) should be used.

15. SIGNS AND NOTICES

Private hire vehicles which can accommodate between 5 and 8 passengers should have suitable signage displayed in the vehicle directing passengers to and giving instruction in the operation and use of exit points, ie slide door to open/push door to open.

16. MINI-BUSES

All mini-buses licensed by the Council as private hire vehicles must comply with the MOT seat belt standards which have applied to seat belts on mini-buses, buses and coaches (including those used for the transport of children) since 1 August 1998 (Environment Committee 11 November 1998).

17. RADIO EQUIPMENT

- (a) Any radio equipment fitted to the vehicle shall be kept in a safe condition and comply with statutory requirements.
- (b) Radio scanners are not permitted.

18. PASSENGER SAFETY

- (a) A proprietor or driver of a private hire vehicle shall not convey or permit to be conveyed in the private hire vehicle a greater number of persons (regardless of the age or size of the passengers) than the number of persons prescribed in the licence for the vehicle and specified on the vehicle identification plate affixed to the rear of the vehicle.
- (b) The number of passengers must not exceed the number of restraints available in the vehicle.

PLEASE NOTE: IT IS THE DRIVER'S RESPONSIBILITY TO ENSURE THAT A PASSENGER IS USING THE CORRECT RESTRAINT.

It would seem to be good business practice for companies to provide at least one approved child restraint which could be made available for use by children travelling in a vehicle. It is suggested that an operator should identify the age of any child passenger in a party when a booking is taken to enable the proprietor or driver of the vehicle to fit the appropriate child restraint.

It is acceptable to fit a customer's own child restraint provided that the restraint is of an approved design (ie BS Kite Mark) and in a serviceable condition.

19. ANIMALS

- (a) No animal belonging to the private hire vehicle proprietor or private hire operator or the driver of the vehicle shall be conveyed in the vehicle.
- (b) Any animal belonging to or in the custody of a passenger, which in the driver's or proprietor's discretion may be conveyed in the private hire vehicle must be conveyed in the rear of the vehicle and shall be contained so as not to present a nuisance or hazard to any occupants of the vehicle.
- (c) A proprietor or driver of a vehicle must carry a guide dog or assistance dog belonging to a passenger free of charge unless the driver has a proven medical condition that would preclude such action.

20. LUGGAGE

- (a) The proprietor of a vehicle shall provide the proper means for securing luggage if the vehicle is so constructed as to carry luggage. If the luggage is to be carried externally then the means for the carriage and securing of the luggage must provide adequate protection from inclement weather.
- (b) Any roof racks fitted to a vehicle must be the correct design and fitting for the type of vehicle and should be loaded in accordance with the manufacturer's instructions.

PLEASE NOTE:

(i) WHENEVER POSSIBLE, STORE LUGGAGE IN THE BOOT, WITH THE HEAVIER ITEMS AT THE BOTTOM.

(ii) NEVER STORE LUGGAGE ABOVE THE HEIGHT OF THE REAR SEAT OR ON THE PARCEL SHELF.

21. CHANGE OF ADDRESS

The proprietor or driver of a vehicle shall notify the Council of any change of his address during the period of the licence within 7 days of such change.

22. LOSS OF LICENCE

A replacement private hire vehicle licence may be issued upon payment of a fee.

23. RETURN OF IDENTIFICATION PLATE

On receipt of notice, the proprietor of a private hire vehicle shall return the vehicle identification plate to the Council Offices in the event of the expiry (without immediate renewal), suspension or revocation of the licence (Section 58(2) of the 1976 Act).

24. TRANSFER OF VEHICLE

The proprietor of a licensed private hire vehicle must notify the Council in writing of any transfer in the ownership of a vehicle (Section 49 of the 1976 Act).

25. PERMITTING OR EMPLOYING ANY OTHER PERSON TO DRIVE

Before a proprietor of a private hire vehicle permits or employs a private hire driver to drive the vehicle he shall ensure that the vehicle is adequately insured for that driver.

If you are aggrieved by any of the conditions specified in this licence you may appeal to a Magistrates Court within 21 days of the service of the licence on you (Section 48(7) of the 1976 Act).

NOTES:

(a) FAILURE TO COMPLY WITH ANY OF THE CONDITIONS SPECIFIED IN THIS LICENCE MAY RESULT IN PROSECUTION AND THE SUSPENSION OR REVOCATION OF THE PRIVATE HIRE VEHICLE LICENCE.

(b) IN ADDITION TO THE PRIVATE HIRE VEHICLE LICENCE CONDITIONS, THE PROPRIETOR OF A PRIVATE HIRE VEHICLE MUST HAVE REGARD TO ALL STATUTORY PROVISIONS WHICH RELATE TO PRIVATE HIRE VEHICLES.

(c) This private hire vehicle licence is not transferable to another vehicle.

(i) No person can drive a private hire car unless he holds a private hire driver's licence issued by the District Council.

(ii) A vehicle which stands or plies for hire in a street or at a railway station or railway premises requires a hackney carriage licence.

THIS LICENCE IS NOT SUFFICIENT

(iii) Application for renewal of this licence should be made to the Head of Environmental Health on the prescribed form which is available from the Council Offices, Coalville. All licence holders will be sent a reminder and the necessary forms for renewal in advance of the expiry of the licence. Please note, however, that the responsibility for renewal rests with the licence holder. Reminder letters are sent purely as a courtesy.

Revised: October 2008

HCPH39

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

Private Hire Vehicle Licence (Stretch Limousines)

Definitions:-

- a) The age of the vehicle will be taken from the date of original manufacture.
- b) A stretch limousine (SL) is any motor vehicle that has been constructed or adapted to carry up to 8 passengers and has a wheel base that exceeds 120 inches.
- c) The wheel base is the distance between the centre of the wheel on the front-most axle and the centre of the wheel on the rear-most axle.
- d) Right hand drive means that the steering wheel is on the right hand side of the vehicle when viewed from the rear of the vehicle.
- e) Left hand drive means that the steering wheel is on the left hand side of the vehicle when viewed from the rear of the vehicle.
- f) Single Vehicle Approval (SVA) Scheme is a pre-registration inspection for cars that have not been type approved to British or European standards.

Draft Conditions

- 1) A SL can only be driven by a licensed private hire driver.
- 2) a) Depot Testing – All stretch limousines will be tested at the NWLDC own depot every 4 months.
b) Should the NWLDC not have the facilities to test these vehicles, the licensing section will not license any new applications until the situation is remedied. The licensing office will make arrangements to have current vehicles tested at an appropriate testing station.
- 2) Insurance –At the time of an initial application and renewal the applicant will produce a 12 months insurance certificate. No temporary cover notes will be accepted as proof that the vehicle is insured. Certificates of a lesser period will not be accepted as proof that the vehicle is insured.
- 3) Drivers – All drivers of stretch limousines will have passed the Driver Standards Agency hackney carriage/private hire driver assessment test.
- 4) Doors – The vehicle will have at least one nearside door that gives access to the main passenger compartment of the vehicle. The vehicle will also have another exit that can be used in an emergency.

- 5) Advertisements – The vehicle will not display any third party advertisements that are visible from the exterior.
- 6) Right hand drive – All stretch limousines will be right hand drive.
- 7) Private Hire – Stretch Limousines will only be licensed as Private Hire Vehicles. They will not be of a design or appearance as to lead any person to believe that it is a hackney carriage. No roof signs will be fitted to the vehicle.
- 8) Identification Plate - Two identification plates identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) act 1976 shall be securely fixed to the front and rear of the vehicle in a conspicuous position and in such a manner as to be easily removable by an authorised officer of the Council or a constable.

The proprietor or driver of the private hire vehicle shall report the loss of the identification plate to the Council Offices as soon as the loss becomes known. A replacement plate shall be issued upon payment of the appropriate fee.

PLEASE NOTE: THE IDENTIFICATION PLATE REMAINS THE PROPERTY OF THE COUNCIL.

- 9) Interior – The interior fittings of the vehicle shall only be fitted with toughened glass or mirrors. Drinking vessels and containers shall not be made of glass. All other fittings, seats and carpets will be securely fitted and designed to prevent injury or damage.
- 10) Licensing Act 2003 – The requirements of the act will be observed.
- 11) Fire Extinguishers - The proprietor of the vehicle shall provide a suitable and efficient fire extinguisher in the vehicle at all times when it is in use or available for hire. Fire extinguishers should be readily visible and available for immediate use in an emergency. If it is not possible to locate the extinguisher in a conspicuous position within the vehicle, it may be stored in the boot provided that a notice stating the location of the extinguisher is clearly displayed. The extinguisher must be maintained in good working order, the operating instructions must be legible and the driver of the vehicle must be familiar with its use.

THE COUNCIL'S HEALTH AND SAFETY OFFICER RECOMMENDS A DRY POWDER FIRE EXTINGUISHER.

- 12) First Aid – The proprietor of the vehicle shall provide a suitable first aid kit (see suggested list of contents below) in the vehicle at all times when it is in use or available for hire. It will be kept in the driving compartment of the vehicle and should be readily visible and available for immediate use in an emergency.

PLEASE NOTE: DRIVERS COULD BE LIABLE IF THEY RENDER FIRST AID.

THE COUNCIL'S HEALTH AND SAFETY OFFICER RECOMMENDS THAT A PRIVATE HIRE VEHICLE'S FIRST AID KIT CONTAINS THE FOLLOWING ITEMS WHICH ARE REQUIRED BY THE HEALTH AND SAFETY (FIRST AID) REGULATIONS 1981 FOR TRAVEL FIRST AID KITS.

First aid guidance leaflet
1 large wound dressing 18 x 18 centimetres
6 adhesive plasters
2 triangular bandages
6 safety pins
2 individually wrapped wipes
1 pair of disposable gloves

PLEASE NOTE: IN ADDITION TO THE ABOVE 2 ITEMS OF SAFETY EQUIPMENT, IT IS RECOMMENDED THAT EACH VEHICLE SHOULD CONSIDER CARRYING THE FOLLOWING ITEMS IN CASE OF EMERGENCIES.

A TORCH AND SPARE BATTERIES

WARNING TRIANGLE

ICE SCRAPER/ DE-ICER

EMERGENCY CARD WITH NAME, DATE OF BIRTH, BLOOD GROUP, ALLERGIES AND EMERGENCY CONTACT NUMBER

SHRIEK ALARM TO DISORIENTATE ANY AGGRESSOR

DETAILED MAPS OF AREAS IN WHICH THE VEHICLE IS TRAVELLING

- 13) Spare wheel – Will be kept in good order, securely stowed, in the boot of the vehicle. The wheel and tyre will be an exact match of the other wheels and tyres. Space saving wheels and tyres will not be used.
- 14) Age – No vehicle over 7 years old at the time of the application will be licensed.
- 15) Condition – The vehicle and all off its fittings and equipment shall, at all times when the vehicle is in use or available for hire, be kept in an efficient, safe, tidy and clean condition and conform to all relevant statutory requirements.
- 16) Alteration – The vehicle will not be altered in any way, either internally or externally, other than to repair any damage to its original condition, without prior permission of the licensing office. Any alterations made without the consent of the licensing office may result in the plate being revoked or suspended.
- 17) Initial Inspection – On receipt of an application to license a 'stretch limousine' a licensing officer will inspect the proposed vehicle and agree that the vehicle meets the definition of such a vehicle. The licensing officer may take photographs of the interior and/or exterior to have a record of it original condition and design. The inspection will take place at the Council depot where it will be confirmed that the vehicle is of such a design that it can be inspected at the depot. If it can't the vehicle is precluded from being licensed.

- 18) Tinted Glass – All glass windows will conform to Regulation 32 of the Road Vehicles (Construction & Use) Regulations 1986. That is, all glass windows must allow 70 - 75% of transmitted light into the inside of the vehicle. Should there be any doubt as to the suitability of the glass, the Tintman device will be used to give a precise figure of light passing into the interior of the vehicle. Any financial costs incurred will be borne by the applicant.
- 19) Seats and Seatbelts – SLs must provide seat belts for all passengers (up to 8). Passengers must use the seat belts in accordance with the law. The vehicle will only have enough seats for 8 passengers. Extra seats will have to be permanently removed.
- 20) Trailers – SLs will not under any circumstances tow any form of trailer or other vehicle.
- 21) Road Accidents – Any road traffic collisions will be reported to the Licensing Section as soon as possible but in any case within 72 hours. If the extent of the accident appears to warrant it, a Licensing Officer will seize the Private Hire Vehicle plate and arrange for the vehicle to be tested at the Authority's depot. As soon as it is clear that the vehicle has passed its depot inspection and is safe to carry passengers, the plate will be returned. Any financial costs incurred by one or more depot inspections will be borne by the operator/driver.
- 22) Change of Address – The operator/driver shall notify the Authority of any change of address, during the period of the licence, within 7 days of such change.
- 23) Loss of Licence – A replacement vehicle licence will be issued on payment of a fee.
- 24) Licence Conditions – If you are aggrieved by any of the conditions specified in this licence you are entitled under Section 48(7) of the Local Government (Miscellaneous Procedures) Act 1976 to appeal to the Magistrates Court within 21 days. Failure to comply with any of the conditions specified in this licence may result in prosecution and/or the suspension or revocation of the licence. Nothing in these conditions should be seen as a substitute to current statutes and all Road Traffic legislation will be obeyed.