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Proposed conditions relating to Imported Stretched Limousines Licensed as private hire vehicles.

1. All vehicles must be less than 10 years old when registered in the UK or when first used in the Country of origin.
2. Vehicles may either be left hand or right hand drive providing they have full proof of full Department for Transport (DfT) Single Vehicle Type Approval (SVA), and must be fitted with at least 4 doors and 4 wheels.
3. The interior and exterior of the vehicle must be maintained in a clean and proper manner to the reasonable satisfaction of the Council.
4. There shall be no passengers carried in the front compartment.
5. Every seat shall have fitted a suitable seat belt or restraint.
6. Every seat shall be at least 400mm in width measured along the seat base.
7. The vehicle identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer, and it shall confirm the total vehicle weight.
8. Fitted tyres to the vehicle must be either 235/75R-15 108D (BF Load) or 225/70R-16 107T Town Car Limo Tyre (Reinforced)
9. DVLA V5 or equivalent shall be produced to authenticate registration.
10. No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence permitting the sale or supply of the same.
11. All operators will be required to sign a declaration stating that the vehicle will not carry more than 8 passengers and at the time of booking the vehicle, this restriction shall be explained to the hirer.
12. A stretched limousine vehicle will be subject to twice yearly mechanical examinations to the appropriate Class MOT Standard every 6 months at the Council's approved garage. Where a stretched limousine is adapted to carry more than 8 passengers it will then become a Public Service Vehicle (PSV) and be subject to all the regulations of a PSV.

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13. Tinted glass shall conform to the legal requirements as laid down by the vehicle Operators Services Agency (VOSA)
14. The proprietor shall not use the vehicle, and not permit it to be used when there is not in force for the vehicle a policy of insurance or such security and complied with the requirements of Part VI of the Road Traffic Act 1998 for hire and reward
15. Limousines are not required to display a fare table or have a taximeter fitted.
16. The stretched limousines must hold a valid Single Vehicle Approval (SVA) certificate or an Individual Vehicle Approval (IVA).
17. The Limousines will meet the QVM (Quality Vehicle Modifier) issued by the Ford Motor Company or the CMC (Cadillac Mastercoach Builder)
18. The stretch extension shall not exceed 3 meters in length.
19. The maximum weight of any converted vehicle will not exceed 7,100lbs (3,200kg) when fully loaded.
20. Stretch Limousines must be constructed on the appropriate heavy duty packages as specified by the QVM/CMC
21. All replacement parts must be manufacturer approved.
22. The Operators of a licensed vehicle with side facing seats will not be used to carry passengers under 16 years of age, regardless of whether the vehicle is fitted with or without seatbelts.
23. Notices forbidding children under 16 years of age to be carried in side facing seats must be displayed in prominent positions, on entry to the passenger compartment and on the inside of the vehicle on either side of the passenger compartment,
24. Notices must be displayed inside the vehicle where all passengers can clearly read the notice, advising passengers of the maximum carrying capacity of the vehicle and a warning to all passengers that should the capacity be exceeded then the vehicle will be uninsured.
25. The Private Hire Vehicle licence plate must be carried in the vehicle boot compartment at all times and be available for inspection by an authorised officer or Police Officer.
26. The licensed stretched limousine must only be driven by a valid licensed private hire driver.

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Current Stretched Limousine Licence Conditions, Taxi And Private Hire Guide, May 2009, version 5

5.4 Stretched limousines are subject to the following licensing criteria:

- (a) All Limousines will meet the QVM (Quality Vehicle Modifier) issued by the Ford Motor Company or the CMC (Cadillac Mastercoach Builder).
- (b) The stretch extension shall not exceed 120 inches (10 feet)
- (c) The maximum weight of any converted vehicle will not exceed 7,100 lbs (3,200 kg)
- (d) Stretch Limousines must be constructed on the appropriate heavy-duty packages as specified by the QVM/CMC.
- (e) All replacement Parts must be manufacturer approved. Replacement tyres must be of the appropriate size and weight bearing.
- (f) Side facing seats in limousines will only be permitted if they meet the minimum requirements of lap belts.
- (g) American Stretched limousines over 7 years of age on the date of first application will not be licensed unless there are strong mechanical representations as to the vehicles fitness.
- (h) Limousine drivers are required to sign a declaration that they will not carry more than 8 passengers.

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Additional wording recommended by Senior Traffic Examiner, VOSA to the proposed stretched limousine licence conditions sent out for consultation. (Bold Italics)

Proposed conditions relating to Imported Stretched Limousines Licensed as private hire vehicles.

1. All vehicles must be less than 10 years old when registered *in the United Kingdom or when first used in the Country of origin.*
2. Vehicles may either be left hand or right hand drive providing they have full proof of full Department for Transport (DfT) Single Vehicle Type Approval (SVA), and must be fitted with at least 4 doors and 4 wheels.
3. The interior and exterior of the vehicle must be maintained in a clean and proper manner to the reasonable satisfaction of the Council.
4. There shall be no passengers carried in the front compartment.
5. Every seat shall have fitted a suitable seat belt or restraint.
6. Every seat shall be at least 400mm in width measured along the seat base.
7. The vehicle identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.
8. A plate on the door pillar shall conform the total weight of the vehicle. *Combine with condition 7 as weight will be on VIN plate*
9. Fitted tyres to the vehicle must be either 235/75R-15 108D (BF Load) or 225/70R-16 107T Town Car Limo Tyre (Reinforced)
10. DVLA V5 or equivalent shall be produced to authenticate registration.
11. No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence permitting the sale or supply of the same.
12. All operators will be required to sign a declaration stating that the vehicle will not carry more than 8 passengers and at the time of booking the vehicle, this restriction shall be explained to the hirer.
13. A stretched limousine vehicle will be subject to twice yearly mechanical examinations to the appropriate Class MOT Standard every 6 months at the Council's approved garage.
14. Tinted glass shall conform to the legal requirements as laid down by the vehicle Operators Services Agency (VOSA)

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15. The proprietor shall not use the vehicle, and not permit it to be used when there is not in force for the vehicle a policy of insurance or such security and complied with the requirements of Part VI of the Road Traffic Act 1998 for hire and reward
16. Limousines are not required to display a fare table or have a taximeter fitted.
17. The stretched limousines must hold a valid Single Vehicle Approval (SVA) certificate. *Or an IVA – Individual Vehicle Approval*
18. The Limousines will meet the QVM (Quality Vehicle Modifier) issued by the Ford Motor Company or the CMC (Cadillac Mastercoach Builder)
19. The stretch extension shall not exceed 120 inches (10 feet) *Convert to metric (3 meters)*
20. The maximum weight of any converted vehicle will not exceed 7,100lbs (3,200kg) *add when loaded*
21. Stretch Limousines must be constructed on the appropriate heavy duty packages as specified by the QVM/CMC
22. All replacement parts must be manufacturer approved.
23. The Operators of a licensed vehicle with side facing seats will not be used to carry passengers under 16 years of age, regardless of whether the vehicle is fitted with or without seatbelts.
24. Notices forbidding children under 16 years of age to be carried in side facing seats must be displayed in prominent positions, on entry to the passenger compartment and on the inside of the vehicle on either side of the passenger compartment,

Notices must be displayed inside the vehicle where all passengers can clearly read the notice, advising passengers of the maximum carrying capacity of the vehicle and a warning to all passengers that should the capacity be exceeded then the vehicle will be uninsured.

Add in condition stating that vehicle must be driven by Private Hire licensed driver at all time. This will bring the condition in line with PSV vehicle condition licences, which VOSA are responsible for.

Add in a condition about vehicle licence plate to be in boot of vehicle and available for inspection by authorised officer or Police Officer.

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GREAT YARMOUTH BOROUGH COUNCIL

STATEMENT OF POLICY IN RESPECT OF STRETCHED LIMOUSINES AND SPECIALIST VEHICLES

In recent years there has been rapid growth in demand for the hire of limousines and specialist vehicles and the industry has been largely unlicensed and unregulated in terms of either drivers or vehicles. A number of Licensing Authorities have private hire licence conditions which effectively prohibit the licensing of stretch limousines and specialist vehicles. Issues such as left hand drive, tinted windows, seating capacity and side facing seats have meant that limousines cannot comply.

Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 states that a district council shall not grant a licence unless they are satisfied that the vehicle is:

- Suitable in size, type and design for the use as a private hire vehicle
- Not of such design and appearance as to lead persons to believe that the vehicle is a hackney carriage
- In a suitable mechanical condition
- Safe, comfortable; and that there is in force in relation to the use of the vehicle a policy of insurance.

For the purpose of this policy and licence conditions, a stretch limousine shall be defined as a motor vehicle that has been lengthened by the insertion of an additional body section and modified by a coachbuilder to contain luxury facilities and fixtures that is capable of carrying up to but not exceeding eight passengers. The Council will not license these vehicles as hackney carriages because their length makes them unsuitable to operate from a taxi rank.

This document provides a transparent and consistent framework for the licensing of limousines and specialist vehicles within the Borough of Great Yarmouth and has been produced following the publication of the Department of Transport Taxi and Private Hire Vehicle Licensing Best Practice Guidance, issued in November 2006.

The following information and conditions are seen as a good model to ensure the safety of the public and regulated standards for private hire operators and to ensure that a minimum standard is set in the licensing of these particular vehicles.

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VEHICLES SUITABLE / UNSUITABLE FOR LICENSING

Ford Lincoln Town Car

The original Lincoln Town Car is not suitable for stretching; these vehicles have a chassis number starting with 1LN. The authorised QVM converter is provided with a special vehicle that has been made suitable and the chassis number begins with 1L1. Some early Lincolns were stretched on the 1LN chassis and will be accepted if presented with a certificate of approval from Lincoln or the authorised QVM converter. For full details of any of the chassis number of any ford vehicle check www.fleet.ford.com/maintenance/vin-tools/

In addition, Ford provides a special chassis for the extended car to be built on. This is called a 418 chassis and this designation should appear on the vehicle VIN plate or the sticker or plate attached by the converter. If it is not there, there is double check, i.e. the 418 has a double exhaust and fitted with rear brake drum brakes instead of disc brakes. This must be checked as there is a Cartier edition of the base vehicle that has twin exhausts and disc rear brakes. This model will not however, have the heavy duty components necessary to make it suitable. The only authorised conversion takes the vehicle to 120 inch more than the original vehicle.

Cadillac Fleetwood/Deville

There are not a lot of Cadillac vehicles in the UK at present. The codes that denote whether it is an authorised conversion or not, are hidden in a number of places. If it is the Fleetwood model (1993 to 1996) the code was V4U shown on a sticker marked service parts identification under the boot lid. If it has been removed the only way to check is to remove the rear wheel and hub and measure the width of the brake shoe, this will be almost 2.5 inches (6.35 cm) wide, substantially wider than the conventional one.

From 1997 to 1999 the base car changed to DeVille, which was a front wheel drive. This was not popular and unlikely to be presented for inspection. From 2000 a completely new DeVille was made. The codes being V4U and WC5 These cars have disc brakes all round. A simple way to check whether this is an authorised CMC conversion is to take the wheel nut cover off and check it has an eight stud wheel. If it has it is a limousine package car. The standard car has five studs.

PRE-LICENSING REQUIREMENTS FOR VEHICLES

When presented for licensing for the first time the vehicle will be required to have either European Whole Vehicle Type Approval, UK Low Volume Type Approval or UK Single Vehicle (SVA) Approval or above and the limousine declaration of conditions of use should be produced. If a converted vehicle or a stretch limo, a weighbridge certificate as proof of the unladen weight of the vehicle after it was converted together with the maximum permitted laden weight must be produced.

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A vehicle that has been stretched in excess of 3.048 metres (10 feet) will not be considered for licensing as a private hire special events vehicle. The Ford and Lincoln manufacturers will not authorise conversions beyond 3.048 metres for safety reasons as the weight increases substantially; therefore the maximum weight of the resultant vehicle must not exceed 7100 lbs. Furthermore the seating capacity of these longer vehicles will in most cases be in excess of eight passengers and therefore not be able to be licensed by the Local Authority.

Private Hire Vehicle Inspection

All stretched limousines and special event vehicles must comply to the standards laid out in the Council's private hire vehicle inspection manual (available from the MOT test station, Waveney Depot or from the licensing section at the Town Hall).

Liquid Petroleum Gas

Vehicles converted to run on liquid petroleum gas (LPG) must produce an installation certificate from a LPGA approved UK vehicle conversion company.

Vehicle Age Limits

It is the current policy of the Council not to license a vehicle over nine years of age; however in respect of limousines, age requirements may be considered irrelevant compared to the condition of the vehicle. The manner that a vehicle has been cared for is the most important consideration with older vehicles. Providing the vehicle continues to pass the vehicle tests, older vehicles will be allowed to remain licensed.

Conditions

1. The front seat shall accommodate the driver only
2. The maximum passenger accommodation shall be eight seats (n.b. for the purpose of calculating seating capacity the measure unit of a single seat is 17" per person)
3. All forward facing seats must be fitted with approved 3 point inertia seat belts.
4. All side and rear facing seats must be fitted with the minimum of approved 2 point lap belts.
5. The vehicle shall have an overall minimum height of 135 cm (53")
6. The vehicle shall have an engine rating providing adequate power to size of the vehicle.

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7. The vehicle must comply with the standards laid out in the private hire inspection manual and must pass an annual roadworthiness test (certificate of compliance). The vehicle shall also be subject to a further spot check during the licensing year.
8. The maximum length of the vehicle stretch shall not exceed 3048 mm (120")
9. The vehicle must be fitted with a full size spare tyre and all tyres fitted to the vehicle shall be of an approved rating as specified by the tyre manufacturer for the weight and speed of the vehicle (see charts at end of document).
10. The front windscreen shall allow 75% light transmittance and the front driver and passenger windows shall allow 70% transmittance.
11. No self-adhesive material (tint or clear) shall be affixed to any part of the glass on the driver and passenger front windows.
12. There must be adequate internal light to enable passengers to enter and leave the vehicle safely.
13. The internal fittings and furniture of the limousine must be in a clean, well maintained condition and in every way fit and safe for public use.
14. Facilities must be provided for the safe conveyance of luggage.
15. The vehicle must have a minimum of two rear doors for the use of persons conveyed in the limousine and a separate means of ingress and egress for the driver. Doors must be capable of being readily opened from inside and outside the vehicle by one operation, and open to an angle of at least 60 degrees.
16. All windows must be fitted with safety glass (i.e. glass that if fractured does not fly into fragments capable of causing severe cuts). Windows must not have any broken, discoloured or cracked glass including the windscreen. All door windows must be so constructed as to be easily lowered or raised by the hirer and must be fitted by approved means to enable them to be opened or part opened as desired.
17. The vehicle must be fitted with at least three rear view mirrors, one of which must be fitted internally. The other two must be fitted to the near and offside of the vehicle giving the driver clear view to the sides and rear.
18. No external fittings will be permitted other than an aerial to receive radio or other transmissions.

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19. The vehicle must provide sufficient means by which any person in the vehicle may communicate with the driver.
20. The vehicle must be equipped with a fire extinguisher (current standard).
21. Side marker lights must only show amber light when vehicle is in motion (road vehicle lighting regulations).
22. Two crests shall be displayed on each of the front doors of the vehicle unless written approval of exemption from the Council has been obtained.
23. During the currency of the licence the vehicle is not permitted to tow a trailer.
24. Two-way radio equipment shall not be installed in the vehicle without the prior approval of the Council who may specify the position of the equipment to ensure safe operation.
25. No intoxicating liquor shall be supplied from within the vehicle unless the premise where the booking is taken has an appropriate premises licence under the Licensing Act 2003 permitting the sale or supply of alcohol. *Under the Licensing Act 2003, it is an offence to sell alcohol inside a vehicle (i.e. operate a bar).*
26. No smoking shall be allowed within the vehicle at all times.
27. Entertainment systems must not be fitted in a position as to distract the driver. *It is the operator's responsibility to ensure that any media is suitable for the age of passengers within the vehicle (i.e. classified by the British Film Classification Board) and a performing rights licence is held where appropriate.*
28. Advertisements, no other signs, notices or any other markings shall be displayed on or within the vehicle without written permission of the Council to ensure that any material displayed within the vehicle is suitable for public viewing.
29. It is the driver's responsibility to ensure that their passengers remain seated whilst the vehicle is in motion.



Taxi and Private Hire Licensing

Legal, Licensing & Registration

Standard Conditions attached to a Stretched Limousine Private Hire Operator Licence

Section Opening Hours

Mon-Thurs
08:00 – 15:30

Fri
08:00 – 15:00

Staff Training
2nd Tuesday in every month
08:00 – 10:00

Taxi and Private Hire Licensing
225 York Road
Leeds
LS9 7RY
Tel: 0113 214 3366
Email: taxiprivatehire.licensing@leeds.gov.uk
www.leeds.gov.uk/taxis

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Policy in Respect of Conditions attached to the grant of a Private Hire Stretched Limousine Operator Licence

Background

The Local Government (Miscellaneous Provisions) Act, 1976 (LGMP), was created to enable Conditions of safety to be placed upon drivers, vehicles and Operators making private contracts for vehicle with driver hire services. Private Hire at that time was concentrated on saloon vehicles offering, in the main, local journeys.

The Private Hire sector has grown and extended significantly and there are now a much wider range of vehicles and services.

The Road Safety Act, 2006, along with best practice guidance issued by the Department for Transport (DfT) has caused Leeds City Council to consider licensing a wide range of vehicles and services.

Policy Statement

The issues around the operating of a business involving Stretched Limousine vehicles has the same business, legal and public safety principles as other areas of transport licensed by the Local Authority.

Public safety is paramount. It is very important to Leeds City Council that Operators also fit comfortably into their environment and are not the cause of residential nuisance.

Operators are a major factor in contributing to public safety by ensuring that they and their drivers adhere to this policy and the Conditions upon the various licences.

The Council recognises the very distinct role of Stretched Limousine vehicles in the 'special event' arena of public transport and can accommodate some variations to its existing standard Private Hire Conditions.

The distinction between an Operator of standard Private Hire vehicles and the Operator of Stretched Limousine vehicles is significant in terms of the type of client catered for and the type of service offered. The aim of the Council's policies and Conditions is to ensure that there are no overlaps in policy and Conditions with the standards of safety already existing in the licensed Private Hire sector.

The administrative and operating practices and procedures of a standard Stretched Limousine vehicle must at all times, in every way, be distinct from the business conducted by a licensed Operator of standard Private Hire vehicles including advertising and call handling. Enquiries or bookings should be handled within a different business environment to any other business conducted by that Operator or on those premises. This includes a dedicated telephone line and stand alone internet

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site and email address. Any stationery or correspondence should refer only to the licensed business of the Private Hire Stretched Limousine Operator.

Set out in this booklet are the pre-conditions to the consideration of the grant of a Private Hire Stretched Limousine Operator licence. Additionally, once licensed, a Private Hire Stretched Limousine Operator must continue to meet these standard pre-conditions.

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Pre-Conditions Attached to the Grant of a Private Hire Stretched Limousine Operator Licence

1. Any person wishing to acquire a licence to operate a Private Hire Stretched Limousine vehicle shall be a fit and proper person and make the application to the Council solely in their name on the prescribed form and pay such fee as prescribed by the Council. Such fee shall not be returnable under any circumstance, save at the sole discretion of the Council.
2. Every applicant for an Operators licence shall be required to undertake: -
 - (i) Complete the appropriate application form and a CRB Disclosure form
 - (ii) Undertake English language, literacy and numeracy testing
 - (iii) Attend a Private Hire Stretched Limousine Operator Seminar
3. Every applicant shall in addition to the information specified in the application process provide the name, date of birth and address of any person the applicant proposes to operate the business in partnership with at any time.
4. Each Operator licence issued by the Licensing Authority shall be issued only in the name of the applicant and that person shall be deemed solely responsible as the Operator upon the licence being granted and the licence is not transferable from the first mentioned person to another person.
5. Each Operator licence issued by the Licensing Authority shall be valid for such a period as the Licensing Authority may decide.
6. Every applicant for an Operators licence shall demonstrate compliance with the policy.

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Conditions attached to a Licence to Operate a Private Hire Stretched Limousine Vehicle

Local Government (Miscellaneous Provisions) Act, 1976 Part 2

All licences issued by the Council in connection with the driving and operation of Private Hire Stretched Limousine vehicles are in accordance with the provisions of the 1976 Act. Drivers, Operators and Proprietors should be familiar with this Act, the provisions of the Town Police Clauses Act and the Disability Discrimination Act effecting Private Hire licences.

The following Conditions apply to all Operators of Stretched Limousine vehicles, licensed or seeking to be licensed, and in whole to the vehicle Proprietor and in whole or part to licensed Operators and drivers. In certain circumstances additional appropriate Conditions may be attached to an individual licence which could be set out as an addendum to Section 1, by way of a formal notice served upon the licensed Operator.

The Council informs of changes to its Conditions by publicising them in a variety of ways. It is the responsibility of the licence holder to be familiar with those changes and seek appropriate advice and guidance if in doubt.

Additional copies of these Conditions can be obtained, free of charge, by visiting the Taxi and Private Hire Licensing office, downloading from the Council's website or requesting a copy be sent by post. It is also a Condition of the Operators licence that a copy is available for viewing.

Councillors have considered carefully the following Conditions and emphasise that they are essential requirements. Failure to observe may lead to immediate suspension of the vehicle licence and consideration of licence revocation and prosecution¹ (there are explanatory notes at the end of these Conditions).

1. Operator Licence

Every applicant shall in addition to the information specified in the application process provide the name, date of birth and address of any person the applicant proposes to operate the business in partnership with at any time, who shall also be the subject of CRB vetting.

Each Operator licence issued by the Licensing Authority is issued only in the name of the applicant and that person shall be deemed solely responsible as the Operator upon the licence being granted and the licence is not transferable from the first mentioned person to another person.

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Each Operator licence issued by the Licensing Authority shall be valid for such a period as the Licensing Authority may decide.

The current Operator licence must be displayed at the business premises to which the licence relates in a prominent position at all times in view of the general public with the exception of such times as the licence is presented to the Licensing Authority for amendment or it is required to be produced for inspection by an Authorised Officer of the Licensing Authority or a Police Constable.

Each Operator, when disposing of any business interest, shall within 14 days give notice, in writing, to the Licensing Authority that the business registered in his / her name has terminated¹

The Operator shall notify the Council in writing of any change of address during the period of the licence within seven days of such change taking place.

The Operator will, if there is public access, have on display a copy of the Operators, drivers and vehicle Conditions to be viewed by any person.

The Operator will supply, free of charge, a copy of those Conditions to any person requiring them.

2. Place of Business

A licensed Operator will only conduct the business from the booking office address specified on the licence; each booking office address requires a separate licence.

NB: Any licensed Operator wishing to conduct a business from any address other than that specified on the Operator licence shall make application to the Licensing Authority on the prescribed forms which will be regarded by the Licensing Authority as a new application for an Operator licence and the applicant shall satisfy the requirements of the Licensing Authority accordingly.

An application on or within the grounds of liquor licensed premises will not be accepted.

Where there is public access the licensed Operator shall provide, at the address from which the business is conducted as specified on the Operator licence, an enclosed area to which the public have right of access for the purposes of making a booking for the services of a licensed vehicle or awaiting the arrival of a licensed vehicle subsequent to any booking. No Operator shall cause or permit any such area to be used by them or other persons for any other purpose than that outlined above.

The premises shall be kept clean, adequately illuminated, heated and ventilated and shall conform to any other relevant legal requirements.

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All licensed Operators shall have in force a Public Liability Insurance policy providing a minimum of £2,000,000 indemnity in respect of any one incident.

All licensed Operators shall have in force an Employers Liability Insurance policy complying with the Employers Liability (Compulsory Insurance) Act 1969 covering death or personal injury arising out of any incident during the course of a person's employment.

3. Advertising

No Operator may use the word **TAXI** or **CAB** or **HACKNEY CARRIAGE** or any combination or derivation thereof in any advertising manner in any media, and any such advertising shall include the words Licensed Private Hire Stretched Limousine Vehicle – Advance Bookings Only.

Where any Operator in the course of business uses the trading name or business address specified on the Operator licence to offer the services of a Hackney Carriage to the general public, the Operator shall not use the words **TAXI** or **CAB** or **HACKNEY CARRIAGE** or any combination or derivation thereof in any advertising manner unless the number of Hackney Carriages that the Operator can offer (without engaging the services of any other company or trading concern) is not less than 51% of the number of licensed private hire vehicles specified on the form OPVS.

4. Acceptance of Bookings

Every contract for the hire of a Private Hire Stretched Limousine vehicle shall be deemed to be made with the licensed Operator who accepted the booking, whether or not that licensed Operator subsequently provides the vehicle(s).

The booking is exclusive to a Stretched Limousine vehicle and may not be transferred to a standard Private Hire vehicle or other category of licence.

A booking with a licensed Operator may not be transferred to any Operator not licensed by this Authority.

The Operator must satisfy himself that the person making the booking is over 18 years of age.

5. Record of Bookings

Each licensed Operator shall keep a full and accurate record of every booking of a Private Hire Stretched Limousine vehicle in a register, details to include:-

- (i) Time and date of booking
- (ii) Time required
- (iii) Customer's name
- (iv) Particulars of the journey (from and to)
- (v) The nature of the 'special event' and the vehicle used

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These records must be maintained in a bound book with consecutively numbered pages. Operators must be able to identify from their records which Private Hire Stretched Limousine vehicle has undertaken any particular job, e.g. call sign, plate number.

All bookings are for exceptional events and must take place in a formal manner including the exchange of a written contract and acceptance prior to the commencement of a journey

The register must be maintained up to date at all times, and shall be retained at the address from which the business is conducted as specified in the Operator licence for a period of not less than 12 months from the date of the last entry in the register.

The register(s) shall be available at any time without notice by an Authorised Officer of the Licensing Authority or a Police Constable who shall be empowered to take away the register(s) from the premises if required.

Licensed Operators who wish to operate a computer booking record system **must** have the approval in writing of the Licensing Authority, and must adhere to all other relevant conditions.

6. Specified Vehicles

No licensed Operator shall operate any Private Hire Stretched Limousine vehicle other than those which have been listed by an Authorised Officer of the Licensing Authority on the Operator Vehicle Schedule (form OPVS). Any alteration to the form OPVS shall only be made by an Authorised Officer of the Licensing Authority.

When a licensed Operator ceases to operate any vehicle specified on the OPVS, the Operator shall forthwith, and in any event not later than 72 hours, notify the Licensing Authority, in writing, for amendment by an Authorised Officer.

7. Off Street Parking

During the currency of the licence, the Operator shall ensure designated off-street parking provision at all times for the number of vehicles being operated.

No licensed Operator shall use any land or premises for the said purpose where that Operator does not have lawful right of use of that land or premises. The Operator, if required to do so by an Authorised Officer of the Licensing Authority or Police Constable, shall produce such documentary evidence as may be reasonably required to establish the Operator's lawful right to use such land or premises for the purposes of providing off-street parking provision for Private Hire Stretched Limousine vehicles.

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8. Specified Drivers

The Operator shall notify the Licensing Authority of each and every Private Hire Stretched Limousine driver employed or used by the Operator in his Operator Driver Schedule (Form OPDS). Where an Operator ceases to employ or use any licensed Private Hire Stretched Limousine driver, the Operator shall forthwith, and in any event within 72 hours, notify the Licensing Authority in writing and present the form OPDS to the Licensing Authority for amendment by an Authorised Officer. The Private Hire Stretched Limousine driver licence must be returned to the driver.

Each Operator will retain at the address from which the business is conducted, the Private Hire Stretched Limousine driver licence of every licensed Private Hire Stretched Limousine driver employed or used by that Operator.

The Private Hire Stretched Limousine driver licences shall be available at all times for inspection by any Authorised Officer of the Licensing Authority or Police Constable who may take the licence(s) away from the premises if so required.

Every Private Hire Stretched Limousine driver licence retained by the Operator must display the trade name and Operator licence number relating to his licence.

Once licensed as a Private Hire Stretched Limousine vehicle a vehicle can only be driven by a driver who has a Private Hire Stretched Limousine driver licence for this type of vehicle and the Operator may only use such a driver.

9. Passengers²

Where any passenger is under the age of 14 years, they must be accompanied by a responsible adult other than the driver, who is over the age of 18 years. All passengers must remain seated when the vehicle is moving.

Entertainment within the vehicle

The following activities are prohibited within or upon the vehicle: -

- Striptease
- Lap Dancing
- Pole Dancing
- Any other activity or performance of a like kind
- The driver of the vehicle shall not knowingly permit to be played any video, DVD or other recording image that is unsuitable having regard to the age of the passengers being conveyed. In deciding what is suitable, regard shall be had to the classification of the video, DVD or recorded image by the British Board of Film Classification.

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Provision of alcohol

- (a) Where alcohol is supplied, the Proprietor shall hold the appropriate licence(s) as required under the Licensing Act 2003
- (b) When passengers in the vehicle are below the age of 18 years, no alcohol shall be supplied by the Operator
- (c) No person under 18 years of age shall be permitted to drink alcohol within the vehicle even if supplied by a responsible adult
- (d) Alcohol shall not be supplied in a moving vehicle

10. Standard of Service

The Operator shall provide a prompt, efficient and reliable service to members of the public which at all times complies with all the Conditions associated to Private Hire Stretched Limousine Operators, drivers and vehicles and shall ensure that when a Private Hire Stretched Limousine vehicle has been hired to be in attendance at an appropriate time and place, that vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that time and place.

11. Disability Discrimination³

Every licensed Operator must conform to the requirements of the Disability Discrimination Act, 2005, and associated legislation.

12. Complaints

Operators, on receiving any complaint of a serious nature, particularly including dishonesty, indecency, violence, disability discrimination or drugs, regarding any person licensed by the Authority, must immediately inform the Taxi and Private Hire Licensing Section as to the identity of the person involved and the nature of the complaint. All accompanying information, documentation and records must be supplied. This should be done immediately but no later than 72 hours.

13. Lost Property

Any property or articles of any description left in a Private Hire Stretched Limousine vehicle by a passenger shall forthwith, and in any event not later than 72 hours, be delivered to the Police Station for the area which the licensed Operator is based. Appropriate enquiries should be made by the driver to return the property to the owner but nevertheless must be lodged with the Police, in line with the stated time scales in this Condition. A record of the property receipt should be retained for a period of 6 months by the driver whose responsibility it was to take care of the property when found.

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14. Radio Equipment

Radio or other data communication equipment for use in the communication of bookings from the Private Hire Stretched Limousine Operators base station cannot be fitted.

15. Requirements to Report Convictions & Associated Incidents⁴

- (a) Any of the following events in respect of the Operator, Manager, business partner or any one holding office if it is a limited company, must be reported in writing to the Taxi & Private Licensing Section within 72 hours during the currency of a licence giving full details:-
- (i) Any conviction (criminal or driving matter)
 - (ii) Any caution (issued by the Police or any other agency)
 - (iii) Issue of any Magistrate's Court summons against them
 - (iv) Issue of any fixed penalty notice for any matter;
 - (v) Any harassment or other form of warning or order within the criminal law, including Anti-Social Behaviour Orders or similar
 - (vi) Their arrest for any offence (whether or not charged)
- (b) When required a licensed Operator will undertake enhanced Criminal Records Bureau (CRB) vetting at his/her own expense and within a timescale set by the Council. Such a requirement may be on the basis of the Council's responsibility to ensure continued public safety and monitor licensed drivers.

Appendix C

Explanatory Notes

1. Licences granted to Operator's are personal licences and are not transferable. Any new Operator must satisfy all the Council's pre-conditions to the grant of a licence. Operating businesses cannot be operated by an unlicensed Operator. Prior to the transfer of any business the proposed purchaser should have satisfied the Council that he is a 'fit and proper' person and obtained the appropriate Operator licence.

2. **Health and Safety of Passengers (Duty of Care)**

Most people will be aware that employers have a duty of care to their employees, but the Health and Safety at Work Act, 1974, goes further. Part 1, Section 3 (2) states "it shall be the duty of every self-employed person to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not exposed to risks to their health and safety". Operators, drivers and Proprietors are advised that a failure to safeguard passengers could have serious implications for the licence holder, and the licence.

3. Legislation effecting the provision of public transport has undergone significant change, (for example, Disability Discrimination, Health & Safety, road safety bills) and there are increased expectations within society that a service will be delivered professionally and fairly to all. Many of these issues do in fact have serious consequences for drivers within the criminal law, but it is also important to the Council that its values and principles are displayed by licensed drivers. They should conduct themselves in a way that reflects positively on the licensing policy of the Council and benefits those passengers using private hire transport.

4. **Meaning of Convictions**

How criminal allegations are finalised by law enforcement agencies has significantly changed since the Act setting out the legislation and Conditions for Private Hire licensing was introduced. There are now a variety of disposal methods for sentencing which have been introduced in recent years. Many of these do not necessitate the alleged offender appearing before the courts to be sentenced. Formal 'Cautions' within Home Office guide lines are more frequently used in appropriate cases and 'Fixed Penalty Fines' can be issued for a range of criminal offences. There are also a variety of constraining orders issued by the Courts (Criminal and Civil) intended to control the behaviour of individuals. All these disposal methods have a common thread to actual convictions and are indicative of an individual's behaviour. These may be considered by the Council to consider the suitability of a licensed driver to continue to hold a licence. Similarly, the issue of summonses or the arrest and release on bail, with or without charge, can indicate there has been an event which may cause the Council to review the suitability of a licensed driver to continue to hold a licence. Each case will be considered on its own merits. Because of the public safety issues involved in Private Hire work the Council has been exempted from the provisions of the Rehabilitation of Offenders Act, 1976.

Appendix C

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