

GENERAL PURPOSES AND LICENSING COMMITTEE - 14 NOVEMBER 2008

STRETCHED LIMOUSINES

LICENSING CONDITIONS FOR CONSIDERATION

1. Introduction

- 1.1 On 12 September 2008, the General Purpose and Licensing Committee resolved to look further at the licensing of stretched limousines as Private Hire Vehicles. This report invites the Committee to view a stretched limousine and then consider the additional requirements and technical specifications that should be attached by New Forest District Council to the grant of a Private Hire Vehicle Licence, Drivers Licence and Operators Licence for such vehicles

2. Background

- 2.1 The Council's current Private Hire Vehicle Licence conditions cannot cover the licensing of stretch limousines. Issues such as left hand drive, tinted windows, seating capacity and side facing seats have meant that limousines are unable to comply with traditional Private Hire licensing conditions.
- 2.2 It is recognised that in recent years there has been rapid growth in demand for the hire of limousine vehicles, but the industry has remained largely unlicensed and unregulated. Recent Department of Transport guidance has directed Council's towards considering the licensing of such vehicles.

3. Definition of a stretch limousine

- 3.1 Councils who licence stretch limousines define them as follows:-

"A stretch limousine is 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 8 passengers; that prior to the introduction of this policy could not currently be licensed by the Council as a Private Hire Vehicle".

- 3.2 Stretch vehicle policies generally do not apply to stretch vehicles that are not authentic Ford or Cadillac stretch limousines. Applications for other types of stretch vehicles or other character vehicles are required to be determined individually by a Licensing Sub-Committee.

4. Viewing by the Committee

- 4.1 A stretched limousine from New Forest Limousines at Totton, Southampton has been made available for inspection by members of the Committee.
- 4.2 The vehicle has also been made available for inspection at New Forest District Council workshops to determine the vehicle examination criteria. Comments are contained in Appendix 2.
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5. Considerations for standard Private Hire Vehicles

- 5.1 Private Hire Vehicles are licensed under the Local Government (Miscellaneous Provisions) Act 1976 which, in general terms, allows Councils to licence vehicles which are suitable to be used for private hire and which have less than 9 passenger seats. Historically, each Council has developed its own set of Private Hire Vehicle Licence conditions, which provide a framework for determining vehicle suitability. Conditions cover issues such as the accessibility of the vehicle, internal condition of the vehicle, luggage space, seating configuration etc.
- 5.2 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 use as a private hire vehicle
 - is not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage
 - the vehicle is in a suitable mechanical condition
 - the vehicle is safe and comfortable
 - that there is in force in relation to the use of the vehicle a policy of insurance which covers use of the vehicle for hire and reward.

6. PHV Licence Conditions for Stretch Limousines

- 6.1 The current conditions for vehicles licensed as private hire vehicles by New Forest District Council are shown at Appendix 1 to this report. Unless amended by special provisions at 6.2 below, those conditions will also apply to the licensing of stretch limousines.
- 6.2 Consideration will need to be given to amending the current policy for stretch limousines **only**, therefore permitting the licensing, on individual merit, of such vehicles. The issues that will need special consideration are shown at Appendix 2 for consideration and determination.
- 6.3 Once licensed as a private hire vehicle, the limousine will be subject to any other statutory requirements imposed by Part II of the Local Government (Miscellaneous Provisions) Act 1976.

7. Driver and Operator Licensing Requirements

- 7.1 The current conditions for PHV Drivers and Operators are shown at Appendices 3 & 4.
- 7.2 In addition to the stretch limousine being licensed as a private hire vehicle with New Forest District Council, the limousine operator will also be required to hold a private hire operators' licence with the Authority.
- 7.3 All bookings for a limousine licensed as a private hire vehicle must be booked through the licensed private hire operator. Any stretch limousine licensed by New Forest District Council will only be used for hire under the terms of a private hire operator's licence either already issued or granted to an operator within the District or to any new licensed operator.
- 7.4 Any driver employed to drive a licensed stretch limousine will be required to be licensed with New Forest District Council as Private Hire Driver.

8. Financial Implications

- 8.1 On the information available to date, the vehicle inspection fee will be set at the same rate for taxi/PHV testing, but to be reviewed after one year.

9. Environmental Implications

- 9.1 On the information available to date there would appear to be no additional environmental implications directly arising as a result of licensing stretch limousines that have been approved on the Standard Vehicle Assessment (SVA) scheme.

10. Crime and Disorder Implications

- 10.1 There are no crime and disorder implications arising from licensing stretch limousines, providing conditions are properly formulated in relation to other legislation e.g. alcohol availability in special event vehicles.

11. Equality and Diversity Implications

- 11.1 There are no equality and diversity implications directly arising from the licensing of stretch limousines.

12. Recommendations

- 12.1 The Committee is asked to consider:
- (a) Approving in principle the licensing of stretched limousines as Private Hire Vehicles;
 - (b) Adding any additional requirements to the current policy which will be specific to the licensing of stretch limousines as detailed for consideration in Appendix 2;
 - (c) Authorising officers to formulate a draft policy based on the Committee's recommendations;
 - (d) Authorising officers to circulate the draft policy to the Taxi Owner's Association and to owners of stretch limousines in the NFDC area for comment, to include the fact that once a policy is in force any limousine used in contravention of the policy could render operators and drivers liable to prosecution; and
 - (e) The submission by officers of a final report and policy document with comments as above to the General Purposes and Licensing Committee meeting on 13 March 2009 for adoption of the policy.

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Background Papers
General Purposes and
Licensing Committee
Minutes 12.9.08

Appendix 1

CURRENT PRIVATE HIRE VEHICLE LICENCE CONDITIONS

1. In this licence and in these conditions, unless the subject or context otherwise requires:-
 - "the Council" means the New Forest District Council
 - "authorised officer" means an officer of the Council authorised in writing by the Assistant Director (Environmental Health Services) of the Council for the purposes of these conditions
 - "Private Hire Vehicle" means a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a Hackney Carriage or public service vehicle, which is provided for hire with the services of a driver for the purposes of carrying passengers
 - "Hackney Carriage" has the same meaning as in the Town Police Clauses Act 1847
 - "licence plate" means the plate issued by the Council for the purpose of identifying the vehicle as a Private Hire Vehicle duly licensed by the Council
 - "proprietor" means the person or persons or body named in this licence as the proprietor of the vehicle and includes a part proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement
 - "the vehicle" means the Private Hire Vehicle in respect of which this licence is issued
2. The proprietor shall observe and perform the following terms and conditions in respect of Private Hire vehicles:-
 - 2.1 the proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein the number of this licence and the number of passengers prescribed in this licence;
 - 2.2 the licence plate shall be fixed and displayed outside and on the rear of the vehicle in a position which shall be approved by an authorised officer, so as to ensure that the vehicle's registration mark is not obscured, with the particulars thereon facing outwards and in such a manner and place that the licence plate is clearly visible by daylight from the road at the rear of the vehicle;
 - 2.3 the licence plate shall remain the property of the Council and shall be returned to the Council by the proprietor within seven days after the service on him of an appropriate notice by the Assistant Director (Environmental Health Services) in the event of the Private Hire Vehicle licence ceasing to be in force in respect of the vehicle;
 - 2.4 the proprietor shall permit an authorised officer of the Council or a police officer to inspect and test the vehicle at all reasonable times. If the authorised officer or police officer is not satisfied as to the fitness or condition of the Private Hire Vehicle he shall give notice in writing to the proprietor and the proprietor shall make the Private Hire Vehicle available for further inspection and testing at such reasonable time and place as specified in the notice, and the licence shall be suspended until such time as the authorised officer is so satisfied; provided that if the authorised officer is not so satisfied before the expiration of a period of two months, the licence shall be revoked. The licence plate shall on suspension of the licence be handed to the authorised officer but will be returned upon reinstatement of the licence;

- 2.5 without prejudice to the aforementioned provisions, on receipt of a notice in writing from the Assistant Director (Environmental Health Services), the proprietor shall present the Private Hire Vehicle for inspection and testing by or on behalf of the Council within such period and at such place as specified by the Council. Such inspections and tests shall not exceed three in number in any one period of 12 months and a test shall not be required within two months of a previous test when the vehicle was found to be satisfactory, except in the case of vehicular damage or alteration under condition 2.12 hereof;
- 2.6 the 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 (including in particular those contained in Motor Vehicles (Construction and Use) Regulations shall be fully complied with;
- 2.7 the proprietor shall, at all times during the currency of the licence, keep in force in relation to the use of the vehicle as a Private Hire Vehicle a policy of insurance issued by an approved insurance company or such security as complies with the requirement of Part VI of the Road Traffic Act 1972 and he shall at all times comply with the conditions thereof;
- 2.8 on being so required by an authorised officer, the proprietor shall produce to that authorised officer for examination such certificate of insurance as is required under condition 2.7 hereof, provided that if the proprietor fails to produce such certificate to the authorised officer on request, the proprietor shall within five days produce it to that officer or to any other authorised officer at the Council Offices, Appletree Court, Lyndhurst;
- 2.9 the proprietor shall not display or permit to be displayed on or from a Private Hire Vehicle any sign or notice which consists of or includes:
2.9.1 the word "Taxi" or "Cab" whether in the singular or plural or "For Hire" or any word of similar meaning or appearance to any of these words, whether alone or as part of another word;
- 2.10 without prejudice to the preceding condition 2.9 and conditions 2.11 and 2.12 below, the proprietor shall not display or suffer or permit to be displayed on or from the Private Hire Vehicle, any sign, notice, mark, illumination or other feature which, having regard to the time and place at which it is displayed and to any other circumstances, may suggest to a person seeking to hire a Hackney Carriage that the vehicle is used for the purpose of carrying passengers for hire and reward;
- 2.11 no signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed conspicuously on, in or from the vehicle except as may be required by any statutory provision (including byelaws) or required or permitted by these conditions provided however that this condition shall not apply to a sign which contains the name of the hirer or a passenger or passengers to be carried in the vehicle and is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign;
- 2.12 self-advertising on Private Hire Vehicles is permitted on one door of each side of the vehicle, these being the driver's and front passenger's door only, subject to the size, design and content being approved by the Licensing Officer;
- 2.13 no material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force;
- 2.14 the proprietor shall cause to be carried in the Private Hire Vehicle a B.C.F. Fire Extinguisher conforming and maintained to BS.5423, at least 1.5kg, suitable for use on a motor vehicle, must be fixed inside the passenger/driver compartment of the vehicle in such a position as to be readily available for use. The glove compartment is acceptable provided the extinguisher is fixed and its location is clearly marked in a prominent position on the dashboard;
- 2.15 the proprietor shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence;
- 2.16 the proprietor shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place;
- 2.17 the proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence;
- 2.18 if the proprietor permits or employs any other persons to drive the vehicle as a private hire vehicle, he shall before that person commences to drive the vehicle cause the driver to deliver to him his private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his;

- 2.19 the proprietor shall not assign or in any way part with the benefit of the licence without the prior written consent of the Council and such consent shall not be binding on the Council in respect of the renewal of the licence;
 - 2.20 the licence plate shall be returned to the Council by the proprietor if, for any reason, the vehicle is not available for hire for a period of more than 14 days. The plate will be returned within 48 hours of notice being received by the Council of the vehicle's availability for hire;
 - 2.21 Sub-sections (2) to (5) of Section 233 of the Local Government Act 1972 shall have effect and are incorporated in these conditions in relation to any notices required or authorised by these conditions to be given or served on the proprietor or on behalf of the Council by an authorised officer;
3. The Council may suspend, revoke or refuse to renew any licence in respect of a Private Hire Vehicle for any reasonable cause, including that the Private Hire Vehicle is unfit for use as a Private Hire Vehicle.

NOTE: Licensees are advised to acquaint themselves with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

Stretch Limousines

Additional Private Hire Vehicle Licence Considerations

	Issue for debate	Policy	Justification/implications where necessary	Views of NFDC Transport/Engineers	Views of Taxi Association
1	Definition of Stretched limousine	A stretch limousine is a motor vehicle that has been lengthened by the insertion of an additional body section and modified by an approved coachbuilder to contain luxury facilities and fixtures that is capable of carrying up to but not exceeding 8 passengers; that prior to the introduction of this policy could not currently be licensed by the Council as a Private Hire Vehicle”.	Will apply to authentic Ford & Cadillac stretch limos only converted by authorised company (see 7 below)	Agree that inspection should be limited to authentic stretch limos converted by authorised or approved companies.	No Comments.
2	Use of stretched limousines	The type of work undertaken by a licensed private hire stretch limousine will differ significantly from that of regular private hire work; in that the vehicle will only be licensed for the carriage of passengers for special events	Limousines are regarded as luxury vehicles used for special events. The use of such vehicles for standard PHV work would be inappropriate	Agree that limos should be restricted to special event or other approved work only, given the size of the vehicle and driver awareness/familiarity required.	No Comments.

3	Special events	<ul style="list-style-type: none"> • Prom Nights • Theatre trips • Hen Nights • Stag Nights • Party Trips • Race Days <p>or any other similar event considered by NFDC to be special by its nature.</p>	See 2 above		Agreed
4	Vehicle Age	Stretched limousines to be licensed in accordance with the Council's current PHV age policy.	<p>To ensure that the limousines licensed by the Council are in a good and safe condition.</p> <p>Some councils impose a limit of 6 to 10 years on the vehicles age – should NFDC impose such a condition?</p>	Concerns about the safe life span and durability of this type of vehicle maybe a 10 year age limited should be considered.	Agreed
5	Testing of Vehicles by NFDC	A stretched limousine vehicle will be subject to twice-yearly mechanical examination at intervals to be specified by the council, at its authorised testing station.	<p>Current NFDC policy for vehicles over 8 years old.</p> <p>To ensure that limousines licensed by the Council are maintained to high standards and remain safe as many are imported from US due to age of vehicle</p>	Besides the standard MOT test all limo type vehicles should be subject to a NFDC vehicle inspection every 6 months, irrespective of age.	Agreed

6	Steering wheel position	Vehicles may either be left or right hand drive	Standard PHV licensing does not allow left hand drive vehicles. The majority of stretched limousines are imported from the U.S. and are left hand drive. The Department for Transport has recommended that Councils should not refuse to licence limousines simply because they have characteristics which contravene their existing policy, i.e. left hand drive.	Presents no problems regarding the inspection of said vehicle type.	No Comments
7	Doors	Must be fitted with at least 4 doors	Current NFDC policy to allow safe access and egress	Some concerns over the ability of 8 passengers to exit via rear doors only.	No Comments
8	Wheels and Tyres	The limousine must be fitted with tyres that meet the appropriate specification for both the size and weight of the vehicle, such as 235/75R-15 108D (BF Load) or 225/70R-16 107T Town Car Limo Tyre (Reinforced).	Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times.	Agree correct and recommended tyres should be fitted to vehicles. Consider possible condition to exclude remoulds.	No Comments

9	Passengers	<p>There shall be no passengers carried in the front compartment</p> <p>The vehicle must not carry more than 8 passengers at any time. (A babe in arms is classed as a passenger no matter what their age).</p>	<p>This is to ensure that passengers are not carried in the front of the vehicle to improve driver and passenger safety.</p>	<p>Agree on safety grounds – distraction and visibility.</p>	<p>Agreed</p>
10	Approvals	<p>Full proof of Department for Transport (DfT) Single Vehicle Type Approval (SVA)</p> <p>The Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.</p> <p>The applicant shall confirm, by a badge or other appropriate documentation the conversion dealer.</p> <p>A plate on the door pillar shall confirm the total weight of the vehicle</p>	<p>The SVA test comprises a visual examination of a vehicle and certifies its safety and roadworthiness. Doors, exhaust emissions, lamps, reflectors, rear view mirrors, anti-theft devices, seat belts, seat belt anchorages, brakes, noise and silencers, windscreen and other windows, seats and their anchorages, tyres, interior fittings, external projections, speedometers, wiper and washer system, defrosting and de-misting system and fuel input. This scheme is</p>	<p>Agree to components of vehicle test and can confirm that these requirements presents no problems for the examiners.</p>	<p>Agreed</p>

		DVLA V5 or equivalent shall be produced to authenticate registration.	<p>a pre-registration inspection for vehicles with not more than eight passenger seats and is required for vehicles such as personally imported vehicles which are not a type approved in Britain or the European Union. The main purpose of the test is to ensure that such vehicles have been designed and are constructed to suitable safety standards before they can be used on public roads</p> <p>Vehicles would still be required to obtain an engineers report prior to licensing.</p> <p>i.</p> <p>Only approved companies can carry out conversions</p>		
11.	<p>Seats</p> <p>MPVs</p> <p>Plus check all conditions</p>	The limousine's seating capacity must be reduced where necessary to a maximum of 8 passengers.	<p>Councils can only licence vehicles with a maximum seating capacity of 8.</p> <p>A main characteristic of</p>	Based on the vehicle presented for inspection it is felt that said vehicle would struggle to	<p>Agreed</p> <p>Also expressed some concern regarding the</p>

		<p>Seatbelts must be fitted to all forward and rear facing seats and must be worn at all times by passengers whilst the vehicle is in motion.</p> <p>Every seat shall have fitted a suitable seat belt or restraint.</p>	<p>stretched limousines is their sideways facing bench seats. In line with the Department for Transport's guidance outlined above, the Council should consider the suitability of limousines with sideways seating for licensing. However safety organisations advise that sideways facing seats cannot be fitted with seat belts that adequately protect passengers in an accident. (ROSPA)</p> <p>There is no legal requirement for seatbelts on sideways facing seats.</p> <p>Should all seats will either face forward or backward?</p> <p>Should all sideways facing seats will be removed?</p>	<p>accommodate more than 8 people in a safe and comfortable manner.</p> <p>For potentially larger vehicle then the removal of the back forward facing seats would reduce the potential passenger carrying capacity, although it should be recognised that these seats are probably the safer ones in said vehicle.</p> <p>Would have to accept the concept of sideways facing seats.</p>	<p>safety of side facing seats.</p>
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12	Tinted Glass	<p>Stretched limousines with heavily tinted glass in the windows behind the driver's cockpit will be considered for licensing. Glass in the driver cockpit must satisfy the current legal requirements.</p> <p>Tinted glass shall conform to the legal requirements as laid down by the Vehicle Operators Services Agency (VOSA).</p>	<p>It is recognised that the privacy provided by tinted glass in the passenger compartment is a central characteristic of a limousine. However, glass in the driver cockpit must satisfy the standards within the Road Vehicles (Construction and Use) Regulations 1986 as amended.</p>	Agree	Agreed
13	Taxi/fare meters	<p>Limousines are not required to display a fare table or have a taximeter fitted.</p>	<p>Stretched limousines often do not operate under a fare system as journeys are generally pre-paid in advance based on the length of time they are hired for.</p>	Accept	Agreed
14	Insurance	<p>An appropriate insurance policy must be in place which covers use of the vehicle for hire and reward.</p>	<p>To ensure that limousines operate under insurance policies which cover use for hire and reward and take into account that the vehicle has been stretched.</p>	Agree	No Comments

15	Alcohol	<p>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.</p> <p>Alcohol shall only be served while the vehicle is stationary and afterwards, all bottles shall be placed in a secure receptacle.</p> <p>If any passenger is below the age of 18, there should be no alcohol on the vehicle.</p>	To comply with requirements of the Licensing Act 2003 and to safeguard the public and young persons	Accept	Agreed
16	Entertainment	The driver shall not play or permit the performance of any media which, because of its age restricted classification or its content, is unsuitable for the age of the passengers in the vehicle (based on the age of the youngest passenger).	To safeguard child passengers from viewing unsuitable material.	Accept	No Comments
17	Advertisements	No signs, notices or any other markings will be displayed on or in the vehicle without the written permission of the Council.	To ensure that any material displayed in the limousine is suitable for public viewing.	Agree	No Comments

		In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry 8 passengers.			
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**CURRENT CONDITIONS TO BE OBSERVED BY ALL
DRIVERS LICENSED BY NEW FOREST DISTRICT COUNCIL**

1. In these Conditions:
'Authorised Officer' means any officer of the Council authorised in writing by the Assistant Director of Environmental Health for the purposes of these Conditions.
'The Council' means the New Forest District Council.
'Wireless Telegraphy' has the meaning assigned to it in Section 19 of the Wireless Telegraphy Act 1949.
'Road' means any highway and any other road to which the public has access, and includes bridges over which a road passes.
2. The Licensee shall observe and perform the following Conditions:-
 - 2.1 The Licensee shall not assign or in any way part with the benefit of the Licence, which is personal to the Licensee.
 - 2.2 The Licensee shall not while driving or in charge of a licensed vehicle:-
 - (a) tout or solicit on a road or other public place any person to hire or be carried for hire in any licensed vehicle, or
 - (b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any licensed vehicle.
3. The Licensee shall:-
 - 3.1 Afford all reasonable assistance with passengers' luggage.
 - 3.2 At all times be clean and respectable in his dress and person and behave in a civil and orderly manner.
 - 3.3 Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him.
 - 3.4 Not without the express consent of the hirer whilst he is being conveyed in the vehicle smoke, drink or eat in the vehicle.
 - 3.5 Not without the express consent of the hirer whilst he is being conveyed in the vehicle play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
 - 3.6 At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person whether inside or outside the vehicle.
4. The Licensee shall not:-
 - 4.1 Convey or permit to be conveyed in the vehicle a greater number of persons than that prescribed in the licence for the vehicle.
 - 4.2 Allow there to be conveyed in the front seat of the vehicle:
 - (a) more than one child below the age of ten years; or
 - (b) more than one person above that age.
 - 4.3 Without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.
5. Lost Property:-
 - 5.1 The Licensee shall immediately after the termination of any hiring of a licensed vehicle, or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there; and
 - 5.2 If any property accidentally left in a licensed vehicle by any person who may have been conveyed therein is found by or handed to the Licensee, take the same to any Police Station.
6. The Licensee shall if requested by the hirer of a licensed vehicle provide him with a written receipt for the fare paid.
7. The Licensee of a licensed vehicle shall, if he is aware that the vehicle has been hired to be in attendance at an appointed time and place or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time

and place, punctually attend at that appointed time and place, unless delayed or prevented by sufficient cause.

8. The Licensee shall at all times when driving a licensed vehicle carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request.

continued overleaf...

9. If the Licensee is permitted or employed to drive a licensed vehicle of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle deposit this licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.
10. The Licensee shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.
11. The Licensee shall, when driving a licensed vehicle wear in a conspicuous position the driver's identity licence badge issued to the Licensee by the Council bearing the number corresponding with the number assigned to the Licensee in the register kept by the Council for that purpose. The identity licence badge which is provided by the Council, must be returned to the Council immediately the driver ceases to be licensed by the Council.
12. The driver's identity licence badge referred to in Condition 11 shall remain the property of the Council and if the driver's licence is not renewed, or is otherwise revoked or suspended such badge shall be returned by the Licensee to the Council within seven days of a notice by the Assistant Director of Environmental Health Services requesting the Licensee so to do.
13. The Licensee shall at the request of any authorised officer of the Council or any police officer produce for inspection his driver's licence either forthwith or before the expiration of 5 days beginning with the day following the date of request:-
 - (a) in the case of a request of an authorised officer, at the Council Offices, Lyndhurst;
 - (b) in the case of a request of a police officer at any Police Station within the Council's area.
14. The Licensee shall within seven days disclose to the Council in writing details of any conviction, police caution, or fixed penalties, imposed or issued on him during the period of the licence.

ADDITIONAL CONDITIONS TO BE OBSERVED WHEN DRIVING A PRIVATE HIRE VEHICLE

17. The Licensee shall observe and perform the following Conditions:-
 - 17.1 The Licensee shall not while driving or in charge of a Private Hire Vehicle:-
 - (a) offer that vehicle for immediate hire while the Licensee of that vehicle is on a road or other public place provided that merely parking that vehicle on a road or other public place shall not of itself be deemed to be a breach of this condition, or
 - (b) accept an offer for the immediate hire of that vehicle while the Licensee of that vehicle is on a road or other public place except where such offer is first communicated to the Licensee by telephone or by apparatus for wireless telegraphy fitted to that vehicle.
18. The Licensee shall not demand from any hirer of a Private Hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.

Please Note: Where any reference has been made in these conditions to gender the masculine shall include the feminine and neuter genders and vice versa.

Appendix 4

CURRENT CONDITIONS FOR PHV OPERATORS LICENCE

1.
 - 1.1 The record required to be kept by the operator under Section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976 shall be kept in a suitable book, the pages of which are numbered consecutively, and the operator shall enter or cause to be entered therein, before the commencement of each journey, the following particulars of every booking of a private hire vehicle invited or accepted by him:-
 - (a) The time and date of the booking.
 - (b) The name and address of the hirer.
 - (c) How the booking was made (ie by telephone, personal call etc).
 - (d) The time of pick-up.
 - (e) The point of pick-up.
 - (f) The destination.
 - (g) The time at which a driver was allocated to the booking.
 - (h) The registration number of the vehicle allocated for the booking.
 - (i) Remarks (including details of any sub-contract).
 - 1.2 The operator shall also keep records of the particulars of all private hire vehicles operated by him, which particulars shall include details of the owners, registration numbers and drivers of such vehicles, together with any radio call sign used.
 - 1.3 All records kept by the operator shall be preserved for a period of not less than six months following the date of the last entry.
2. The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:-
 - 2.1 Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place.
 - 2.2 Keep clean, adequately heated, ventilated and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting.
 - 2.3 Ensure that any waiting area provided by the operator has adequate seating facilities.
3. The operator shall not cause or knowingly permit there to be displayed:-
 - 3.1 in and from his premises or on or from any Private Hire Vehicle operated by him or on any advertising material provided by him or on his behalf the word "Taxi" or "Cab" whether in the singular or plural, or any word of similar meaning or appearance whether alone or as part of another word, unless that operator is also the proprietor of a Hackney Carriage licensed by the Council, or;
 - 3.2 in respect of any Private Hire Vehicle operated by him the words "For Hire" or any words of similar meaning or appearance or any telephone number or address, or any numbers or words which appear to be or resemble a telephone number or address.