

GENERAL PURPOSES AND LICENSING COMMITTEE – 13 MARCH 2009**STRETCHED LIMOUSINES****FINAL LICENSING CONDITIONS FOR CONSIDERATION****1. Introduction**

- 1.1 On 12 September 2008 and 14 November 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 consider the additional requirements and technical specifications that should be attached by New Forest District Council for the grant of a Private Hire Vehicle Licence, Drivers Licence and Operators Licence for such vehicles.

2. Background

- 2.1 This Committee has approved in principle the licensing of stretched limousines as Private Hire Vehicles, and tasked officer to:
- Formulate a draft policy based on the Committee's recommendations from the meeting of 14 November 2008;
 - Circulate the draft policy to the Taxi Owner's Association and to the operators of stretched limousines in the NFDC area for comment;
 - Submit a final report and policy document reflecting the comments obtained from the above consultation.

3. Draft Policy

- 3.1 A draft policy was formulated showing the additional licensing requirements required for stretched limousines as determined by the GP&L Committee on 14 November 2008. This is attached as Appendix 1.

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4. Consultation

- 4.1 The general licensing conditions for Private Hire Operators, Drivers and Vehicles and the draft licensing policy for stretch limousines was circulated to the Taxi Association and all known stretch limousine operators in the NFDC area for comment. The consultation also included information advising limousine operators to the fact that once a policy is in force any limousine used in contravention to the policy would render the operator and driver liable to prosecution.

- 4.2 Responses to the consultation have been included in the stretch limousines 'Additional Vehicle Licence Considerations' schedule which is attached as Appendix 2.

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5. Financial Implications

- 5.1 There are no direct financial implications to the Council as a result of the proposed stretch limousine policy. Operators of such vehicles will however have to meet the costs for the licensing of such vehicles, drivers and operators. Current fees include £173 for vehicles and £276 for an operator's licence.

6. Environmental Implications

- 6.1 On the information available to date there would appear to be no additional environmental implications directly arising as a result of the licensing of stretch limousines.

7. Crime and Disorder Implications

- 7.1 There should be no adverse crime and disorder implications arising from the licensing of stretched limousines. The introduction of such a policy would provide significant controls and better safety conditions for the public, which were previously absent

8. Equality and Diversity Implications

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

9. Recommendations

- 9.1 The Committee is asked to consider:

The approval of the licensing of stretched limousines as Private Hire Vehicles in accordance with the policy for said vehicles as detailed at Appendix 1, subject to any changes considered appropriate as a result of the comments recorded in Appendix 2.

Further information:

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Background Papers:

Minutes GP&L Committee
12 September 2008
&
14 November 2008



Stretched Limousines

Additional Licensing Requirements

1. The general conditions imposed by New Forest District Council for PHV Operators, PHV Drivers, and PHV Vehicles will be applicable to the PHV licensing of stretched limousines unless amended by the below provisions.
2. **PHV Operators Licence**
 - 2.1 No changes to standard PHV policy. Persons taking bookings for private hire work using a stretched limousine will be required to hold a private hire operators' licence with the Authority.
 - 2.2 All bookings for a limousine 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.
3. **PHV Drivers Licence**
 - 3.1 Any person driving a stretch limousine for PHV work will be required to be licensed as a PHV driver with New Forest District Council.
4. **PHV Stretched Limousine Vehicles**
 - 4.1 A stretched limousine will be defined as a motor vehicle that has been lengthened by the insertion of an additional body section and modified by an authorised coachbuilder to contain luxury fixtures and facilities that is capable of carrying up to but not exceeding 8 passengers. This will apply to authentic Ford & Cadillac stretch limousines only converted by an authorised company. All other specialist vehicles will be individually considered against the policies of New Forest District Council.
 - 4.2 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.
 - 4.3 Stretch limousines will be regarded as luxury vehicles used for special events. The use of such vehicles for standard PHV work is not considered to be appropriate. Therefore 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. Examples of special events are:

- Prom Nights
- Theatre trips
- Hen Nights
- Stag Nights
- Party Trips
- Race Days

Or any other similar event considered by NFDC to be special by its nature.

- 4.4 A stretched limousine vehicle will be subject to twice-yearly mechanical examination at intervals to be specified by the licensing authority and at its authorised testing station(s) to determine its safety and suitability for the type of work for which it is licensed. This will apply to all stretch limousines regardless of age, date of import or date of registration.
- 4.5 Full proof of Department for Transport (DfT) Single Vehicle Type Approval (SVA) will be required at the time of testing
- 4.6 Where applicable, the Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.
- 4.7 Where applicable, the applicant shall confirm, by a badge or other appropriate documentation the conversion dealer.
- 4.8 A plate on the door pillar shall confirm the total weight of the vehicle
- 4.9 DVLA V5 or equivalent shall be produced to authenticate registration.
- 4.10 Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times. 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).
- 4.11 Vehicles may either be left or right hand drive.
- 4.12 Vehicles must be fitted with at least 4 doors.
- 4.13 The limousine's seating capacity must have been reduced where necessary to a maximum of 8 passengers.
- 4.14 The vehicle must not carry more than 8 passengers at any time and for this purpose a babe in arms will be classed as a passenger no matter what their age.
- 4.15 There shall be no passengers carried in the front compartment.
- 4.16 Lap and diagonal 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.
- 4.17 Every other seat e.g. sideways facing seats shall have fitted a suitable seat belt or restraint and must be worn at all times by passengers whilst the vehicle is in motion.

Appendix 1

- 4.18 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. Tinted glass shall conform to the legal requirements as laid down by the Vehicle Operators Services Agency (VOSA).
- 4.19 An appropriate insurance policy must be in place which covers use of the vehicle for hire and reward.
- 4.20 No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence under the Licensing Act 2003 permitting the sale or supply of the same.
- 4.21 Alcohol shall only be served while the vehicle is stationary and afterwards, all bottles shall be placed in a secure receptacle.
- 4.22 If any passenger is below the age of 18, there shall be no alcohol on the vehicle.
- 4.23 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).
- 4.24 No signs, notices or any other markings will be displayed on or in the vehicle without the written permission of the Council.
- 4.25 In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry 8 passengers and such a sign must be displayed within the passenger compartment of the vehicle.

Stretch Limousines

Additional Vehicle Licence Considerations

	Issue for debate	Policy	Justification/implications where necessary	Views of NFDC Transport/Engineers	Result of consultation with Taxi Association and known Limousine operators
1	Definition of Stretched limousine	A motor vehicle that has been lengthened by the insertion of an additional body section and modified by a coachbuilder to contain luxury fixtures and facilities that is capable of carrying up to but not exceeding 8 passengers.	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 adverse 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 adverse 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	Agree on restrictions and definition of special events.	No adverse comments
4	Vehicle Age	Stretched limousines to be licensed in accordance with the Council's current PHV age policy i.e. no age restrictions but testing frequency varies dependent on age.	<p>To ensure that the limousines licensed by the Council are in a good and safe condition.</p> <p>Some council's impose a limit of 6 to10 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.	No adverse comments
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.	No adverse comments

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 adverse 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 adverse 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 adverse 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>No adverse comments</p>
10	Approvals	<p>Full proof of Department for Transport (DfT) Single Vehicle Type Approval (SVA).The Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer. 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>DVLA V5 or equivalent shall be produced to authenticate registration.</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. Only approved companies can carry out conversions.</p>	<p>Agree to components of vehicle test and can confirm that these requirements presents no problems for the examiners.</p>	<p>No adverse comments</p>

<p>11</p>	<p>Seats</p>	<p>The limousine's seating capacity must be reduced where necessary to a maximum of 8 passengers.</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>Councils can only licence vehicles with a maximum seating capacity of 8.</p> <p>A main characteristic of 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</p> <p>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>Based on the vehicle presented for inspection it is felt that said vehicle would struggle to 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>No adverse comments</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	No adverse comments
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	No adverse comments
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 adverse 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	No adverse comments
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 adverse comments

17	Advertisements	<p>No signs, notices or any other markings will be displayed on or in the vehicle without the written permission of the Council.</p> <p>In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry 8 passengers.</p>	To ensure that any material displayed in the limousine is suitable for public viewing.	Agree	No adverse comments

1. Surprise and concern was expressed by the state of the underside of the vehicle presented for inspection in terms of rust and the limited use of strengthening for the 'stretch'.
2. Access into the workshop Clay Meadow Depot at Totton is a concern – the demo vehicle used only just made it into the workshop due to the slope and wear and tear of the access route, however the mobile lifting ramps can accommodate any length of vehicle.
3. Access into the Marsh Lane Depot at Lymington presents no problems, however there would be a limitation imposed on the length of vehicle that could be inspected due to the length of the lifting ramps (160 stretch max?).