

POLICY RELATING TO THE LICENSING OF STRETCHED LIMOUSINES AS PRIVATE HIRE VEHICLES IN WARWICK DISTRICT COUNCIL

The conditions adopted by Warwick District Council for their mainstream Private Hire Vehicle Licence conditions have effectively prohibited the licensing of limousines. Issues such as tinted windows, seating capacity, left hand drive and side facing seats have meant that limousines have been unable to comply with traditional licensing conditions. However, since the implementation of Section 53 of the Road Safety Act 2006, there is a need to license such vehicles. Listed below are issues identified by officers and the justification for permitting the departure from 'normal' PHV licensing for limousines.

1.1 Definition of a Limousine

For the purposes of this policy and licence conditions a stretched limousine is defined as follows:

A stretched 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;
- prior to the introduction of this policy could not be licensed by the Council as a Private Hire Vehicle (PHV) because it could not comply with licence conditions;
- is not a decommissioned military or emergency service vehicle

1.2 Driver and Operator Licensing Requirements

In addition to the limousine being licensed as a private hire vehicle with the Council, the limousine operator is required to hold a private hire operators' licence with the Council.

All bookings for a limousine licensed as a private hire vehicle must be booked through the licensed private hire operator.

Once licensed as a private hire vehicle, the limousine can only be driven by a licensed private hire driver (this licence must also be issued by the Council).

1.3 Rights of Appeal

The Local Government (Miscellaneous Provisions) Act 1976 sections 48 and 77 detail an applicant's right of appeal. In general terms where an applicant is aggrieved by the Council's decision to refuse to grant a private hire vehicle licence or by any conditions imposed on a private hire vehicle licence the applicant has a right of appeal to the Magistrates Court within 21 days of the applicant being notified of the Council's decision.

1.4 Vehicle Testing Stations

Stretched limousines cannot be tested at a council appointed vehicle testing stations due to their size. They may be tested at a suitable testing station but a separate inspection form must be completed by the garage completing the test.

LICENSING ISSUES, REQUIREMENTS AND JUSTIFICATIONS

	Issue	Licensing Requirement/s	Justification
1.	Left Hand Drive Vehicles	Left Hand Drive stretched limousines will be considered for licensing as a PHV.	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.
2.	Sideways Seating	Stretched limousines with sideways facing seating will be considered for licensing as a PHV.	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 will consider the suitability of limousines with sideways seating for licensing.
3.	Signage	The signage on limousines must conform the Council's normal conditions	Signage serves to distinguish PHV's from ordinary saloon cars and to make them clearly recognised by the public
4.	Tinted Glass	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.	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.
5.	Fare Table/ Taximeter	Limousines are not required to display a fare table or have a taximeter fitted.	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.
6	Roadworthiness	The stretched limousine must hold a valid Single	The SVA test comprises a visual examination of a

		Vehicle Approval (SVA) Certificate.	vehicle by VOSA and certifies its safety and roadworthiness.
7.	Insurance	An appropriate insurance policy must be in place which covers use of the vehicle for hire and reward.	The Council has concerns that some limousines may be operating under insurance policies which do not cover use for hire and reward or take into account that the vehicle has been stretched.
8.	Tyres	The limousine must be fitted with tyres that meet the appropriate specification for both the size and weight.	Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times.
9.	Vehicle Testing	Licensed limousines must be submitted for testing twice a year to the appropriate Class MOT standard.	To ensure that limousines licensed by the Council are maintained to high standards and remain safe.
10.	Maximum Passengers	The limousine's seating capacity must be reduced where necessary to a maximum of 8 passengers.	Councils can only licence vehicles with a maximum seating capacity of 8.
		No seats in the driver's compartment shall be used to carry passengers	This is to ensure that passengers are not carried in the front of the vehicle to improve driver and passenger safety.
		The vehicle must not carry more than 8 passengers at any time.	This condition will be enforced by Council officers performing spot checks on licensed vehicles.
		A babe in arms is classed as a passenger no matter what their age.	In line with legislative requirements.
		In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry 8 passengers.	To inform customers of the maximum carrying capacity of the vehicle.
11.	Seat Belts	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. There is no legal	As per construction and use regulations.

		requirement for seatbelts on sideways facing seats.	
12	Fire Extinguisher	The vehicle must contain a fully functional portable multi-purpose powder type fire extinguisher which bears a kite mark and a 'last service' sticker. The extinguisher must be securely fitted, accessible and ready for use at all times.	For the safety of the vehicle occupants.
13.	Alcohol	Alcoholic drinks provided in the vehicle shall be under the terms of any legislative requirements relating to the sale and supply of alcohol.	To ensure that limousines licensed by the Council operate to high standards and remain safe.
		The driver must ensure that alcohol is only served while the vehicle is stationary and afterwards, all bottles are placed in a secure receptacle.	
		If any passenger is below the age of 18, no alcohol should be served on the vehicle.	
		Any 'glassware' in the vehicle must be made of either shatterproof glass or plastic.	
14	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.
.		The limousine operator shall ensure that a performing rights licence is held where appropriate	Limousines which have the capability of playing recorded media for the entertainment of customers

			and may be required to hold a performing rights licence.
		Entertainment provided in the vehicle shall be under the terms of any relevant legislative requirements.	Entertainment regulated includes TV, video, video games, loudspeakers, or any other activity provided for the passenger's enjoyment.
15	Council Notices	The proprietor shall ensure that the licence plates & stickers are displayed in accordance with the current requirements of the Council.	To convey information to passengers where appropriate.
16	Advertisements	No other 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.
17	No smoking	No smoking shall be allowed in the vehicle at any time.	Legislative requirement.
18	Passenger behaviour	The driver shall take all reasonable steps to ensure that passenger behaviour does not compromise public safety.	To ensure the safety of the driver, passengers and members of the public.