

Policy in respect of Conditions attached to the grant of a Private Hire Stretched Limousine Vehicle 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

Leeds City Council has standard Conditions attached to the grant of a Private Hire vehicle licence. In order to accommodate the wider range of vehicles which may need to be licensed, the Council may make exceptions in some respects to parts of that policy but not to the extent that the existing policy is compromised or the exceptions to those Conditions for this class of vehicle creates unacceptable safety risks.

The purpose of the licensed vehicle is to transport fare paying passengers safely. Any licence issued will not extend to accommodate any form of entertainment other than appropriate recorded music or imagery. Under no circumstances will it permit any form of dancing in the vehicle.

The Operator and Proprietor of the vehicle must obtain all necessary licences in respect of any alcohol use, showing of films and any other licences required for any other form of entertainment of activity.

Set out in this booklet are the pre-conditions to the consideration of the grant of a Private Hire Stretched Limousine vehicle licence.

Additionally, once licensed, the Private Hire vehicle must continue to meet these standard pre-conditions.

Pre-Conditions attached to the grant of a Private Hire Stretched Limousine vehicle licence

1. Approved conversion (American Imports and British/ European Conversions)

1.1 American Imports

Any proprietor who wishes to license an American Stretched Limousine as a Private Hire Stretched Limousine in Leeds will need to prove the vehicle has been converted by an approved converter under the Ford, Quality Vehicle Modifier (QVM) programme or on the Cadillac, Cadillac Master Coachbuilders (CMC) programme.

It is the responsibility of the proprietor to provide the evidence to support that the stretch conversion has been carried out by an approved converter.

The vehicle must display a QVM or CMC plate which specifies the plated weights of the vehicle, if no plated weight is visible then a weight certificate from a registered Vehicle & Operator services Agency (VOSA) weigh bridge must be produced.

1.2 British/ European Conversion

Where any vehicle is 'stretched' within the European Union the Proprietor must produce the appropriate 'Low Volume' or 'European Whole Vehicle Type Approval' certification identifying the converting company.

The maximum permissible stretch conversion of any conversion must not exceed 130 inches (3300mm)

2. V5 & Single Vehicle Approval Requirements (SVA)

At the point of application a V5 registration document (Log Book) must be produced which details the registered keeper who will also be the proprietor.

For licensing purposes, the age of a vehicle shall be determined by the date of first registration in the country of origin. If this is not recorded on the V5 registration document (Log Book), it will be the responsibility of the proprietor to supply suitable documentary evidence to prove the date of first registration.

A vehicle will only be accepted for licensing if the date of first registration is less than 6 years from the date of application. The vehicle must be licensed for use within one month from the date of application

The V5 registration document must list the vehicle body type as 'Limousine' and a seating capacity of no more than 9 seats (driver included)

If this information is not recorded on the V5 registration document, the proprietor will be required to apply for a voluntary Single Vehicle Approval (SVA) inspection at a suitable Vehicle & Operator Services Agency (VOSA) testing station. The vehicle should be entered as a left hand drive limousine to carry

eight passengers. The certificate must then be produced to the Driver & Vehicle Licensing Agency (DVLA) for registration. A copy of the SVA certificate must be retained and produced with all other documents at the point of application for a Private Hire Stretched Limousine licence.

3. Testing

Before a Private Hire Stretched Limousine vehicle licence can be issued, the vehicle will be required to undergo an inspection by Authorised Officers of the Council to ensure compliance with the approval requirements and Conditions attached to the grant of the Private Hire Stretched Limousine vehicle licence.

Because of the added weight and length of such vehicles, critical components wear at a greater rate than that of conventional vehicles. The proprietor of a vehicle licensed as Private Hire Stretched Limousine is required to maintain a detailed maintenance plan and produce a new MOT certificate every 6 months. These safety requirements are outlined in the Conditions attached to the grant of a Private Hire Stretched Limousine vehicle licence.

4. Seating Requirements and Passenger Restraints

The vehicle will be licensed to carry no more than 8 passengers with a minimum space of 400mm seating available for each passenger. All forward facing seats must be fitted with three point all age inertia reel, lap and diagonal seat belts. All other seatbelts fitted to any other seat by the converting company must be present and working correctly.

Appropriate conformity certification for a seatbelt may be required at the discretion of an Authorised Officer of the Council.

5. Tyres

All vehicles must have tyres fitted with the correct tyre load rating for the weight of the vehicle. This rating mark can be located on the sidewall of the tyre.

6. Doors

Every Stretched Limousine to be licensed as a Private Hire vehicle will have a minimum of four doors fitted as standard, two available for the drivers compartment and a minimum of two available to the rear passenger compartment. All doors must be working correctly.

7. Partitions

Vehicles with a partition between the driver and passenger compartment must only be fitted with a clear glass partition to enable full visibility into the rear of the vehicle. The glass should meet the relevant British/ European Standard or its American equivalent. Solid partitions will not be permitted.

Conditions attached to a Private Hire Stretched Limousine Vehicle Licence

Local Government (Miscellaneous Provisions) Act, 1976 Part 2

All licences issued by Leeds City Council in connection with the driving and operation of Private Hire 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 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 or by way of a formal notice served upon the licensed Operator and drivers or Proprietor

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. Type of Vehicle

- (a) Glazing forward of the 'B' pillar shall comply with Construction and Use Regulation 32 with regard to the level of tint. A minimum light transmission value of 70% shall be maintained in the off side front and near side front windows. The windscreen shall have a minimum light transmission value of 75%. Tinted film applied to any window on the vehicle is not permitted.
 - (b) A vehicle licence will not normally be granted if it has sustained accident damage resulting in structural distortion beyond the accepted limits of the vehicle manufacturer, or, has been disposed of under an insurance salvage agreement (categories A, B, C, and D)²
 - (c) Once a vehicle has been inspected and a licence granted, it shall be maintained in that form and condition including continued compliance with
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Condition 1(b) relative to accident damage. No change in the specification, design or appearance of the vehicle or addition of any body work accessories shall be made within the duration of the licence without the prior written approval of the Council.

- (d) Vehicles with a partition between the driver and passenger compartment must only be fitted with a clear glass partition to enable full visibility into the rear of the vehicle. The glass should meet the relevant British/ European Standard or its American equivalent. Solid partitions will not be permitted. Polycarbonate may be used. If an Authorised Officer of the Council has a concern he may require the vehicle Proprietor to produce appropriate documentation to validate the safety of the glass for use inside a passenger vehicle.
- (e) All passengers must have access to at least two side doors, one of which must be on the nearside of the vehicle.
- (f) In cases where there is no door adjacent to a row of seats, no passenger must have to pass through a gap of less than 300mm at the narrowest point in order to exit the vehicle via the rear side doors.
- (g) An audio/visual signal must be fitted to alert the driver if any passenger door is opened or not closed correctly
- (h) A fire extinguisher shall be carried at all times in the vehicle. This fire extinguisher shall be a 1kg dry powder giving a minimum 5A/21B rating as defined in BSEN 3-4 British Standard for portable fire extinguishers. It must be mounted in its correct transport bracket within the boot area of the vehicle in a position that is easily accessible to potential users. All fire extinguishers should conform to British Standard EN3.³
- (i) The vehicle shall carry at all times a fully equipped first aid kit which will contain:
 - Guidance on First Aid Leaflet
 - 10 x Non Alcoholic Wipes (Single)
 - Conforming Bandage 7.5cm x 4.5m stretched
 - 2 x Non Woven Triangular Bandage 96 x 96
 - Safety Pins x 12
 - Medium Blunt/Blunt Stainless Steel Scissors 5"
 - 2 x No. 16 Eye Pad Dressing
 - 3 x Large Dressing 180 x 180 mm
 - 30 Assorted Transparent Plasters

All stored in a suitably labelled container complete with transport bracket and fitted in a suitable prominent position within the boot area of the vehicle for ease of use by the driver or passengers.

2. Age Criteria

- (a) The age of a vehicle, for licensing purposes, shall be determined by the date of first registration on the V5 registration document (Log Book). A vehicle will only be accepted for licensing if the date of first registration is less than 6 years from the date of application. The vehicle must be licensed for use within one month from the date of application.
- (b) Where a currently licensed vehicle does not meet the requirements of part 2 (a) that vehicle will continue to be re-licensed for up to 12 years from the date of first registration, providing that all other licensing requirements relating to that vehicle have been complied with and that the licence is renewed before the Taxi and Private Hire Licensing Section's last working day of the month of expiry of the licence. Any break in the licence will result in part (a) of this Condition coming into effect.

3. Signs and Markings

- (a) All vehicles will be required to have a licence plate affixed to the bodywork and displayed in accordance with the requirements of the Council. Each licensed Private Hire Stretched Limousine vehicle shall have no signs or markings on it except those identified below.
- (b) An identification disc will be issued by Leeds City Council, which must be fixed to the inside, lower, nearside corner of the windscreen in such a manner as to be capable of being easily read from the roadside. The vehicle Proprietor may also display further approved livery on the bonnet, if they so choose, giving details of the vehicle operator. All those relevant preceding Conditions concerning approval and fixing in the 'signs and markings' sub section also apply to bonnet livery.
- (c) Licence Plate
 - (i) Leeds City Council will issue to each licensed vehicle a 'licence plate' to be fitted by the Council and wherever possible to the rear lower offside of the vehicle. It will display the licence number, vehicle registration number and the number of passengers it is licensed to carry. It will be displayed at all times and maintained in good condition.
- (d) Door Livery (Optional)
 - (i) Two other information plates (door livery), in a format prescribed by the Council, will be fitted to the licensed vehicle, one to the driver door and another to the front passenger door.

These plates will be produced to a specification set by the Council. They will be fitted by the Council and secured to the vehicle by an appropriate adhesive chosen by the Council. The mounting of the licence or information plates onto a magnetic back plate is not permitted. The removal of the licence or door livery plate other, than when effecting bodywork repair, removal by an Authorised Officer or when the vehicle is de-licensed is not permitted.

- (ii) The name of the licensed Operator from which the vehicle receives bookings must be shown on the door livery plates in the manner approved by the Council. The Operator name must be in contrasting colours to the background with a colour scheme that is easy for all to distinguish the name.

The Operator name must feature predominately across the space provided. An appropriate company logo may be incorporated into the detail of the plate but not at the expense of reducing the letter sizing significantly or making the name more difficult to read.

- (iii) The Operator name must be professionally prepared (not individual letters) and have night light reflective qualities, equivalent to that of the Council produced licence plate and door livery plate. Alternatively, the letters may be stencilled and utilise the reflective materials of the Council's plate.

- (iv) Prior to affixing any such details to the vehicle, its design and quality must be approved in writing by an Authorised Officer. A copy of the Operators approved artwork may be retained by the Council for reference purposes to future conformity. Changes to any feature of the approved design or material must be notified in writing to the Council and approved by an Authorised Officer before being taken into use.

- (v) External advertising shall not be allowed to be displayed on a 'Special Event Vehicle' other than the name, contact telephone number of the vehicle Operator

(e) Visor Strip (Optional)

- (i) Two non illuminated windscreen visor signs, as approved by the Council, which should be 75 millimetres (3 inches) in depth, must be fitted to the top of the front and rear windows and across the entire length of the window (nominally). They should be visible from the outside and in contrasting colours. The name of the company should be to the centre of the sign with the base station telephone number at either side of it.

- (ii) Prior to affixing any such details to the vehicle, its design must be approved in writing by an Authorised Officer. The visor strip must be professionally produced strip (not individual letters). The visor strip should be fitted to the inside of the vehicle. Where there is a manufacturers tinted glass strip to the top of the windscreen, the Proprietors visor strip may be fitted to the exterior but in accordance with MOT testing regulations, it should not interfere with the sweep area of the windscreen wipers. An Authorised Officer may approve a variation to the specified size, where appropriate, in writing.

- (iii) The exception to the rear signs being placed at the top would be where there is a high-level brake light or a permanently fixed car aerial. In that case they may be taken to the lowest visible point of the rear window.

(iv) Where there are split rear doors, the base telephone number will appear in one rear window and the Operator in the next window. They must be placed to minimise obstruction to the rear view mirror. The conformity to the split-window signs is otherwise the same in every other respect.

(v) Where the information displayed by requirements of these Conditions ceases to be correct, the signs must be immediately removed and replaced with the correct information.

(e) Rear Window Advert

(i) Each licensed Private Hire Stretched Limousine may display in the rear screen of the vehicle an advert with details of the company name and contact details and a brief description of their service

(ii) Any rear screen advert must be approved by an Authorised Officer of the Council and displayed in accordance with the Council's requirements. A copy of the approved advert must be provided by the vehicle proprietor and retained on the vehicle file for reference.

(iii) Any advert must include and clearly display the wording 'Advance Bookings Only' in a prominent position within the advert.

4. Communication Equipment

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

(b) 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

(c) The carrying or use of scanning equipment is not permitted within a licensed vehicle.

5. Liquefied Petroleum Gas

Vehicles with Dual Fuel or 'after market' Liquid Petroleum Gas (LPG) systems must be tested and certified by a recognised Liquid Petroleum Gas Association (LPGA) accredited installer.

For Private Hire Stretched Limousine vehicle licence applications, this certification must be produced at the time of application. For vehicles that have a LPG system fitted during the currency of a Private Hire vehicle licence, they must inform the Taxi and Private Licensing office in writing and produce the above certification within 7 days. Gas tanks must only be fitted to the rear of the vehicle, side mounted tanks are not permitted.

6. Fare Meter (Optional)

- (a) A licensed Private Hire vehicle may be equipped with an approved fare meter. If so, the calibration must be tested and the meter sealed by the Council or an accredited technician authorised, in writing, by the Council.
- (b) Where fitted, a tariff meter must be maintained in working order and must be used for all journeys within the district.
- (c) The type of seal used must be approved prior to fitting, by the Council.
- (d) Where an Operator uses 'fare cards' to assist customers and drivers in determining the cost of a journey, then such a 'fare card' will be carried in the licensed vehicle and made available to a customer at any time.

7. Maintenance & Testing

- (a) Every Proprietor of a Licensed Stretched Limousine shall produce, upon licence renewal and when required by an Authorised Officer of the Council, a detailed maintenance plan which provides for a full safety inspection of the vehicle at intervals not exceeding 10 weeks. This must show a record of routine servicing and inspection, any defects found and proof of repair of those defects. This maintenance record must include daily checks and a method of reporting defects that is available to every driver.
- (b) Each Private Hire Licensed Stretched Limousine shall be required to produce a new MOT certificate every 6 months. The MOT test should be carried out by a VOSA registered MOT testing station with facilities to accommodate such vehicles.
- (c) Every Private Hire Licensed Stretched Limousine vehicle will be subject to examinations as and when required by the Council.

8. General Condition Cleanliness and Appearance of Vehicle

- (a) Every vehicle shall be maintained in a safe and clean condition at all times.
- (b) Seats should be fully 'sprung', free of stains, tears, cigarette burns or repair and not threadbare. Floor coverings should not be unduly worn and present no trip hazards. Household carpeting or similar is unacceptable. Upholstery (headlining and side panel coverings) should be free of ingrained grime, fractures and maintained in the manufacturers original style.
- (c) Luggage and storage areas must be separate to the passenger compartment and kept as free space for passenger's luggage. Luggage must be secure.
- (d) The driver of a licensed Private Hire Stretched Limousine vehicle shall, at the request of an Authorised Officer of the Council or a Police Constable, stop the vehicle, whether or not passengers are being carried, to enable it to be checked for compliance with all the Conditions of the vehicle, driver and Operator licences granted by the Council and relevant legislation and

shall not proceed until the Authorised Officer or Constable has given approval.

- (e) Accident damage must be reported to the Council, in writing, within 72 hours, by the Proprietor and must be repaired without undue delay. Bodywork should be maintained to a good condition, paintwork should be sound and well maintained and free of corrosion, inferior re-spray paintwork and 'cover up' temporary repairs.

9. Driver Safety Shields (Optional)

- (a) Will be of a make, type and design previously approved by Authorised Officers of the Council and on the 'Approved List' maintained by the Taxi & Private Hire Licensing office.
- (b) Will not be changed in any way from its original design and be free of damage.
- (c) Will remain clear and translucent; be free of scratches, clouding or stickers which would impede the drivers or passengers visibility.
- (d) Will not impede entry and egress or present a trip hazard to passengers using the vehicle.
- (e) Installation and maintenance must be in accordance with manufacturer's specifications and recommendations.

10. Security Cameras Inside Vehicles (Optional)

- (a) Will be of a make, type and design previously approved by Authorised Officers of the Council and on the 'Approved List' maintained by the Taxi & Private Hire Licensing office.
- (b) Will not be changed in any way from its original design, be free of damage and maintained in working condition.
- (c) The vehicle will carry appropriate signs, approved by Authorised Officers, informing the public that camera surveillance is active in the vehicle.
- (d) The recording system and memory card (or other image memory recording system) will be securely stored within the vehicle and away from public access.
- (e) Installation and maintenance must be in accordance with manufacturer's specifications and recommendations.
- (f) The images contained in the recording device may only be downloaded by an Authorised Officer of the Council or Police Officer.

11. Insurance Documentation

- (a) At all times during the duration of this licence there shall be in force in relation to the use of the vehicle as a Private Hire Vehicle, a Policy of Insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988.
- (b) The Proprietor or the driver of the licensed vehicle shall produce a current Certificate of Insurance or Cover Note showing:
 - (i) That there is in force in relation to the use of the Private Hire Stretched Limousine vehicle to which the application relates a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988, and have a current vehicle excise licence. The Certificate of Insurance or Cover Note must clearly state the driver(s) and the vehicle;
 - (ii) In the case of a vehicle covered by a block insurance policy, the Certificate or Cover Note must be produced showing that there is in force in relation to the use of the Private Hire Stretched Limousine vehicle to which the application for the grant of licence relates, a policy of insurance of such security as complies with the requirements of Part VI of the Road Traffic Act 1988. The Certificate of Insurance or Cover Note must clearly state the driver(s) and vehicle or;
 - (iii) When the driver and vehicle is not so stated then a V5 registration document will be required which relates to the vehicle owner/keeper being the same as the proposer of the insurance and the proprietor of the licence.
- (c) The Proposer of the insurance produced must be the Proprietor of the licensed vehicle.
- (d) The original insurance documentation will be produced to the Council. The Council will not accept production of insurance documentation by facsimile or which are a photocopy. When requested, the Proprietor must also produce separate correspondence from the insurer to enable the Council to reduce the risk of fraudulent documents being produced.
- (e) At all times during the currency of the vehicle licence, the Proprietor of the vehicle must hold in the vehicle the original Certificate of Insurance or Cover Note relating to that vehicle and which shows those persons entitled to drive the vehicle or a Certificate which complies with 2(c) as above. The documentation must be available for inspection by any Authorised Officer of the Council or Police Officer at all reasonable times. Failure to hold or produce this documentation will, except in exceptional circumstances, lead to the consideration of the suspension or revocation of the licence.

12. Change of Address

The Proprietor shall notify the Council in writing on the prescribed form of any change of his address during the period of the licence within 72 hours of such change taking place.

13. Transfer of Private Hire Stretched Limousine Vehicle Licences

If the Proprietor of a licensed Private Hire Stretched Limousine vehicle transfers his interest or part interest in the vehicle to any other person, he shall be required to notify the Council in writing, on the prescribed form and within fourteen days of such transfer, specifying the name and address of the person to whom such interest has been transferred along with the other necessary detail to enable the Council to monitor the licence. Failure to notify the Council may result in prosecution and immediate suspension of the vehicle licence.

14. Requirements to Produce a New MOT Certificate

A licensed vehicle which attracts a vehicle suspension notice (VOR) for serious defects may be required, at the discretion of an Authorised Officer of Leeds City Council, to obtain a new MOT certificate to demonstrate that the vehicle is roadworthy before the suspension will be lifted. The cost of obtaining such a certificate is to be borne by the licence holder.

15. Private Hire Stretched Limousine Vehicle Licence Surrender

If the Proprietor surrenders a Private Hire Stretched Limousine Vehicle licence then that licence shall be treated as if it had expired on the date of surrender and cannot thereafter be re-instated.

16. Return of the Licence Plates and Discs After Expiry of Licence

- (a) The plate and disc issued to a licensed Private Hire Stretched Limousine Vehicle remain the property of Leeds City Council and must be returned to the council on expiry of the Private Hire Vehicle Licence.
- (b) Failure to return plate and disc within seven days of being instructed to do so in writing will render the proprietor liable to prosecution.

Explanatory Notes

1. 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.

2. Cautionary Advice

You are strongly advised not to purchase a vehicle or any equipment or fittings without first reading the Council's policy and preconditions to the grant of a licence and also these Conditions. If in doubt about any aspect of them, you should make an appointment with a Vehicle Examiner at the Taxi and Private Hire Licensing Section. Licensing Officers and administration staff are not qualified to make technical assessments and are under instruction not to offer such advice.

If a vehicle does not meet the Conditions it is unlikely that a licence will be granted.

Drivers considering buying a vehicle, whether previously licensed or not, are strongly advised to conduct a HPI check prior to purchase. The Council offers a 'Hire Purchase information' service to enable licensed drivers who are considering purchasing a vehicle to ascertain a vehicle's HPI status. The Taxi and Private Hire Licensing Section can conduct such 'HPI' checks for the fee set at that time. There are also other businesses offering this service. It is recommended you seek advice from a Vehicle Examiner prior to purchase.

3. Fire Safety Code of Practice

The relevant fire safety code of practice recommends that fire extinguishers should be examined annually by a suitably qualified person in accordance with that standard.