

## LICENSING COMMITTEE

THURSDAY 13 MARCH 2014

7.00 PM

Bourges/Viersen Rooms - Town Hall

### AGENDA

Page No

1. **Apologies for Absence**

2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

Members must also declare if they are subject to their party group whip in relation to any items under consideration.

3. **Changes in the Licensing Policy for Hackney Carriage and Private Hire Vehicle Licensing - Limousine and Speciality Vehicles** 3 - 22

#### Emergency Evacuation Procedure – Outside Normal Office Hours

*In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.*



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268 as soon as possible.

Committee Members:

Councillors: Thacker (Chairman), Peach (Vice Chairman), Allen, Kreling, Nawaz, Serluca, Jamil, Saltmarsh, Miners and Davidson

Substitutes: Councillors: Simons, Johnson and Harrington

Further information about this meeting can be obtained from Gemma George on telephone 01733 452268 or by email – [gemma.george@peterborough.gov.uk](mailto:gemma.george@peterborough.gov.uk)

<b>LICENSING COMMITTEE</b>	<b>AGENDA ITEM No. 3</b>
<b>13 MARCH 2014</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Cllr Marco Cereste, Leader of the Council and Cabinet Member for Growth, Strategic Planning, Housing, Economic Development and Business Engagement	
Contact Officer(s):	Licensing Manager Adrian Day Strategic Regulatory Services Manager Peter Gell	Tel. 454437 Tel. 453429

**CHANGES IN THE LICENSING POLICY FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING - LIMOUSINE AND SPECIALITY VEHICLES**

R E C O M M E N D A T I O N S	
<b>FROM : Licensing Department Licensing Manager Adrian Day</b>	<b>Deadline date : N/A</b>
<p>That the Committee:</p> <ol style="list-style-type: none"> <li>1. Approves the licensing of limousine and speciality vehicles as set out in this report with or without changes. Under Section 75 (1) (b) of the Local Government (Miscellaneous Provisions) Act 1976; and</li> <li>2. Approves the draft licensing conditions for limousine and speciality vehicles with or without changes.</li> </ol>	

**1. ORIGIN OF REPORT**

- 1.1 This report is of a result of a 12 week consultation in relation to the review of the council's Hackney Carriage and Private Hire Vehicle licensing policy.
- 1.2 There is a need for officers to review the Hackney Carriage and Private Hire Licensing Policy in order to ensure that it remains appropriate and fit for purpose.

**2. PURPOSE AND REASON FOR REPORT**

- 2.1 Following the approval from the licensing committee on 21<sup>st</sup> January 2013, a 12 week consultation in relation to the Hackney Carriage and Private Hire Vehicle Licensing Policy a full consultation was launched. The consultation was launched on 1<sup>st</sup> February 2013 with an end date of 25<sup>th</sup> April 2013.
- 2.2 The purpose of the consultation was to seek responses from all stakeholders who have an interest in or may be affected by the Hackney Carriage and Private Hire Policy.
- 2.3 A list of consultee's can be found at **Appendix 1**.
- 2.4 It should be noted that although the consultation covered many areas of Hackney Carriage and Private Hire Licensing for the purposes of this report the licensing committee are asked to consider only the licensing of Limousine and Speciality vehicles. Therefore only responses relating to this area have been included. The other areas of the consultation will be included in further reports to the committee at a later date.

- 2.5 It is essential that all policies are current and fit for purpose in order for any regulation to be effective. Therefore it is good practice to review policies on a regular basis in order for any policy to be appropriate and up to date and fit for purpose.
- 2.5 Following the committee's decision the outcome will form part of the Peterborough City Council's Taxi and Private Hire Licensing Policy and Guidance document.
- 2.6 This report is for the Committee to consider under its terms of reference 2.4.1.3 'To exercise the functions of the authority as listed in Schedule 2.4.4, where these are not delegated to officers as listed in section 2.4.3, namely; (a) hackney and private hire vehicle licensing'.

**3. TIMESCALE**

Is this a Major Policy Item /Statutory Plan?	<b>No</b>
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**4. BACKGROUND INFORMATION**

- 4.1 Since the implementation of Section 53 of the Road Safety Act 2006, there is a need to licence limousines & speciality vehicles.
- 4.2 Since 2008 the council has a statutory requirement under Section 75(1) (b) of the Local Government (Miscellaneous Provisions) Act 1976 to licence limousine and speciality vehicles.
- 4.3 It is anticipated that only a small number of vehicles in this category exist within this authority and therefore the numbers presented for licensing will be minimal.
- 4.4 During this period options have been explored to licence vehicles in this category, however until just recently testing facilities have not been available in order to accommodate stretched limousines. This facility is now available and can be carried out by Amey the council's current testing centre.
- 4.5 Officers now seek the approval to amend its hackney carriage and private hire conditions to permit the licensing of special event vehicles, including Prestige Vehicles, Stretched Limousines and Classic Cars as Private Hire Vehicles in Peterborough.
- 4.6 It is anticipated that only a small number of vehicles in this category exist within this authority and therefore the numbers presented for licensing will be minimal.
- 4.7 All councils have different policies in relation to Hackney Carriage and Private Hire Vehicles in order to regulate the service in accordance with local requirements. A policy which is deemed appropriate in one locality may not meet the requirements or expectations within another locality.
- 4.8 It is good practice to review all policies from time to time in order to ensure that the policy adopted remains fit for purpose, takes in to account any changes in legislation, or to consider any other factors that may have an affect on the service to which the policy relates.
- 4.9 Peterborough City Council has various individual policies relating to Hackney Carriage and Private Hire Licensing many of which have remained unchanged for many years. Some of the aspects of licensing have been reviewed recently such as the vehicle age policy and the testing requirements for new driver applications. Also the conditions of fitness relating to Hackney Carriage Vehicles have been amended recently approving certain models of the Peugeot E7 as being suitable to be licensed as Hackney Carriage Vehicles.
- 4.10 Currently Peterborough has several companies that undertake offering the services of

limousines and special event vehicles. None of the companies (operators), vehicles or drivers are regulated by Peterborough City Council, meaning any person, as long as they hold the appropriate DVLA licence can drive a vehicle.

Special event vehicles fall in to the following categories: -

- Prestige Vehicles
- Stretched Limousines
- Classic Cars
- Novelty Vehicles

- 4.11 At present there is no system in place to have speciality vehicles and limousines licensed by Peterborough City Council. The operators, drivers and vehicles are not subject to any form of checks as is the usual private hire trade.
- 4.12 The council has a statutory requirement under Section 75(1) (b) of the Local Government (Miscellaneous Provisions) Act 1976 to licence limousine and executive hire vehicles. Officers seek the approval to amend its hackney carriage and private hire conditions to permit the licensing of special event vehicles, including Prestige Vehicles, Stretched Limousines and Classic Cars as Private Hire Vehicles in Peterborough.

## 5. CONSULTATION RESPONSES

- 5.1 For purposes of the consultation we asked stakeholders for their comments in relation to the regulation of Limousine and Speciality Vehicles in Peterborough.
- 5.2 The consultation was launched on 1<sup>st</sup> February 2013 for a 12 week period, ending on 25<sup>th</sup> April 2013. A public notice was published in the Peterborough Telegraph on Thursday 31 January 2013. A copy is attached at **Appendix 2**.
- 5.3 We received three responses in relation to the regulation of Limousine and Speciality Vehicles, these are documented below.
- 5.4 Police Superintendent Dan Vajzovic said. *"The introduction of the regulation of vehicles and operators in this category is welcomed and supported"*.
- 5.5 Mr Brian Gascoyne (Previous Secretary of the Peterborough Hackney Carriage Federation) said. *"I have no experience in the Limousine and Speciality Vehicles trade and therefore am in no position to comment with the exception that there must be a mechanism for testing and safety of the vehicle and ensuring that the drivers are as robustly checked in the same way as Hackney and Private Hire drivers"*.
- 5.6 Amey (previously Enterprise said. *"Enterprise would like to make PCC aware that VOSA permit the workshop at Nursery Lane to accommodate limousines for MOT and inspection purposes.*
- 5.7 Mr Wayne Fitzgerald said. *"I have no issue with option 1. Save for the fees being reasonable and proportionate given the restrictions stated elsewhere about general use as standard day to day private hire work. If you are placing restrictions on the vehicles then there should be lower fees than normal private hire fees as the ability to earn money is surely lessened"*.

*"I do not think the council can do option 2 as in "do nothing" as you may also face a legal challenge at some point if you cannot or refuse to licence a limousine"*.

*"I have no particular issue about the PH operator fees"*.

*"I have no issue with limousines being tested twice a year"*.

*"I do though have an issue with speciality vehicles being tested or treated in the same way as Limousines or general PH Vehicles"*

*“The test for these cars type or licence should be the standard annual MOT test, given that they are not used for "Standard Day to Day Private Hire Work e.g. 7 days a week 24 hours a day. There should also be no age restriction on licensing these cars either e.g. for classics and executive / prestige vehicles provided that they are roadworthy (MOT'd, Insured) and in a tidy and serviceable condition the same as any other current PH licensed vehicle might be or in fact probably better”.*

*“I also think on the Vehicle Licensing fees in speciality vehicles. You should consider having 2 price bands one lower band for occasional vehicle use such as proms, birthday treats, and days out etc which might most likely apply to classic / speciality vehicles and one for full time executive vehicles used such as those for airports runs and general chauffeuring work at the higher rate of £180.00”.*

*“Otherwise the cost for occasional use might be prohibitive and will lead to people not applying and continuing to use unlicensed vehicles”.*

*“Speciality Vehicles only (I) - £100 with a standard MOT test annually (for occasional use including classics & the like. Parties, Proms & so on) mainly classic & vintage cars etc”.*

*“Speciality/ Prestige Vehicles (II) - £180.00 with a standard MOT test annually (For executive & chauffeur work inc PH) Jaguar Rolls Mercedes BMW ect”.*

*“Plate Exemption - I do not see the need to make or carry a physical plate that is hidden in the boot. Surely we can use a security foil sticker in the window that states is it is a licensed PH vehicle. In London they do this why can't we. I would only offer this option currently to those who can demonstrate that they are in the executive / chauffeur market or for speciality vehicles”.*

## **6. VEHICLE CLASIFICATION**

- 6.1 For purposes of classification vehicles considered to be prestige vehicles in terms of licensing would be a Rolls Royce, Daimler, Bentley, Jaguar or other high end models from manufacturers such as BMW or Mercedes Benz; however this list is non-exhaustive and approval will be at the councils discretion; Also incorporated into this section would be vintage or classic cars.
- 6.2 Other vehicles that the authority may be asked to licence could be Kit cars, or something of a more retro nature such as those from television, examples being a Ford Capri or a Reliant three wheeler and even decommissioned fire engines.

## **7. AGE RESTRICTIONS**

- 7.1 Vehicles licensed within the class of limousine or speciality vehicles would not be subject to the normal age restrictions as those that apply to standard private hire vehicles as this is deemed to be inappropriate considering the nature of the vehicle. Therefore vehicles will be exempt from age restrictions.
- 7.2 All vehicles presented for licensing within this class of limousine or speciality vehicles must pass the councils MOT exemption test and be mechanically and cosmetically sound in order to be considered for licensing.

## **8. VEHICLE TESTING**

- 8.1 Due to the fact that Limousines are invariably much longer and heavier than normal private hire vehicles to be licensed and tested, testing facilities must therefore be able to handle this specialised type of vehicle.
- 8.2 Amey have confirmed that VOSA have inspected their workshop and deemed it suitable to inspect stretched limousines, therefore limousines and speciality vehicles will be subject to

MOT exemption testing carried out by Amey. Confirmation of this and testing requirements can be seen at **Appendix 3**.

8.3 Due to the structural nature and the increased age of limousines they will be subject to 6 monthly MOT exemption tests.

8.4 Speciality vehicles due to their age and class will be subject to 6 monthly MOT exemption tests. Consultation feedback in paragraph 5.7 suggests that vehicles in this group should only be subject to standard annual MOT tests, the committee may consider this request.

## **9. LICENCE CONDITIONS**

9.1 The proposed draft conditions for limousine and speciality vehicles can be seen at **Appendix 4**.

9.2 Vehicles licensed within the class of limousine or speciality vehicles will not be permitted to be used for standard day to day private hire work.

## **10. OPERATOR LICENSING REQUIREMENTS**

10.1 To operate a vehicle within the class of limousine or speciality vehicles the operator requires a private hire operator's licence.

10.2 The licence will be subject to the usual checks and is renewable on an annual basis. All existing terms and conditions apply.

## **11. DRIVERS LICENCE**

11.1 In order to drive a vehicle within the class of limousine or speciality vehicles the driver requires a private hire driver's licence.

11.2 The licence will be subject to all the usual safety checks and testing requirements and is renewable on an annual basis. All existing terms and conditions apply.

## **12. PROPOSED FEES**

12.1 It should be noted that fees are set in order to meet the costs of providing the licensing function, legislation does not allow local authorities to make a profit from licensing fees.

12.1 **Operator licence:** The operator licence is the same as the operator's licence for private hire vehicles.

Current Private Hire Operator Licence charges are as follows: -

- 1 vehicle - 5 vehicles = £171
- 6 vehicles – 10 vehicles = £347
- 11 vehicles – 15 vehicles = £523
- 16 vehicles – 20 vehicles = £693
- 21 or more vehicles = £869

12.2 **Vehicle Licence:** The fees for vehicle licenses listed below.

### Limousines

- Annual and new application fee - £231 inclusive of test
- Six monthly fee £110 inclusive of test

### Speciality Vehicles

- Annual and new application fee - £198 inclusive of test

- Six monthly fee £72 inclusive of test

The proposed fees above for speciality vehicles are set at the same figure as for private hire vehicles, this is due to the process for licensing being the same. Consultation response has suggested that this fee should be less due to the fact that speciality vehicles will not be permitted to carry out standard private hire work and will not be used to the same extent as normal vehicles private hire vehicles.

The committee can decide if it so wishes to set an alternative to the proposed fee, however it should be mindful that fees are set in accordance with cost recovery needs rather than the frequency of which the vehicle is used. Consultation feedback in paragraph 5.7 requests reduced fees for limited or occasional usage, the committee may consider this request.

12.3 **Drivers Licence:** The current fee for a private hire driver's licence is £110.

12.4 The fees above were correct at the time of completing this report, fees are currently subject to consultation with a proposed increase of 4%.

### 13. EXEMPTIONS

13.1 Section 75(2) &(3) of the Local Government (Miscellaneous Provisions) Act 1976, allows for an exemption from the display of drivers badge and vehicle licence plates.

13.2 Companies providing executive and limousine type services may use high quality vehicles and therefore prefer not to secure plates and signage to the vehicle.

### 14. CONSIDERATIONS

14.1 In considering the adoption of the licensing of limousine and speciality vehicles as set out in this report the committee should consider the comments submitted during the consultation process; in particular those in relation to the level of fees for speciality vehicles and the testing frequency.

14.2 The committee should consider the implications, risks and consequences of not adopting the policy in particular the statutory requirement to licence such vehicles and the safety implications of non-regulation.

### 15. RISKS

15.1 There are no anticipated risks in approving the regulation of limousine and speciality vehicles and adopting the associated licensing conditions.

15.2 There are risks associated with not approving the regulation of limousine and speciality vehicles and adopting the associated licensing conditions. The council has a statutory requirement to licence limousine and speciality vehicles and may face legal challenge if this function is not adopted.

### 16. ANTICIPATED OUTCOMES

16.1 The Licensing Committee to approve the licensing of limousine and speciality vehicles and adopt the draft licensing conditions with or without amendments, this will form part of the Taxi and Private Hire Licensing Policy / Guidance document.

### 17. REASONS FOR RECOMMENDATIONS

- To regulate the licensing of limousine and speciality vehicles in order to set measures to protect the public and promote safety.
- To comply with statutory requirements.
- To ensure that the policies and procedures continue to be fit for purpose.



**18. ALTERNATIVE OPTIONS CONSIDERED**

18.1 Retain the status quo.

**19. IMPLICATIONS**

19.1 Financial – There are costs associated with undertaking a public consultation exercise, however there are also costs associated where a policy is challenged due to it not being fit for purpose.

19.2 Legal – Legal support has been provided by the council’s legal team regarding the provision of advice and guidance on taxi licensing matters and the requirements of the consultation. Some advice has also been provided by counsel.

**20. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)  
The Local Government (Miscellaneous Provisions) Act 1976  
The Town and Police Clauses Act 1847  
Equality Act 2010

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## APPENDIX 1

<b>List of Consultees</b>	
<b>Organisation</b>	<b>Contact Method</b>
<b>General Public</b>	
Public Notice – Published Thursday 31 January 2013	Peterborough Telegraph
<b>Taxi and Private Hire Trade / Groups</b>	
PHCF – Peterborough Hackney Carriage Federation	Email
Private Hire Drivers Association	Email
Private Hire Operators	Post
Licensed Drivers / Owners	Post
<b>Vehicle Suppliers</b>	
Allied Vehicles Limited	Email
Bindmans LLP (Representing Allied Vehicles)	Email
Cab Direct	Email
London Taxi Company (Administrators)	Email
London Taxi Company (Paul Kelsey)	Email
<b>Service Providers</b>	
Enterprise Peterborough (vehicle Testing)	Email
Unity Automotive (vehicle testing)	Email
<b>Suppliers</b>	
Pageantry (CCTV)	Email
Xtron (CCTV)	Email
<b>Groups</b>	
DIAL – Peterborough Disability Forum	Email
MS Society	Email
PREC – Peterborough Racial Equality	Email
Equality & Human Rights Commission	Email
PECT – Peterborough Environment City Trust	Email
Opportunity Peterborough	Email
<b>Peterborough City Council</b>	
All Ward Councillors	Email
All Parish Councillors	Internal Post
Director of Operations	Email
Head of Finance	Email
Safer Peterborough	Email
Head of Legal Services	Email
Trading Standards	Email
Planning Services	Email
Networks - Highway Control	Email
Head of Neighbourhoods	Email
Head of Operations	Email
Passenger Transport	Email
Director of Public Health	Email
Safeguarding Children	Email
<b>Agencies / Authorities</b>	
Cambridgeshire Constabulary	Email
Cambridgeshire Fire and Rescue	Email
VOSA (Peterborough Office)	Email

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# Classifieds

Find it.  
Call 01733 555222

## Public Notices

### PETERBOROUGH CITY COUNCIL

Applications requiring advertising  
**Planning Application(s) affecting the character or appearance of a Conservation Area:**  
Ref: 13/00009/HHFUL Barnack 3no. new dormer windows to existing roof front elevation Cherrystones Lattimers Paddock Pilsgate Stamford • Ref: 13/00067/FUL Peterborough Change of use from A1 to A2 8 Bridge Street Peterborough PE1 1DW • Ref: 13/00083/FUL Peterborough Demolish existing low level store rooms on the south elevation and build a two-storey extension that will house a fitness suite, office space and 2 replacement store rooms Kings School Sports Hall Granville Street Peterborough PE1 2UE • Ref: 13/00128/ADV Peterborough Installation of 4 X Internally illuminated fascia signs and 1 X projecting sign, 1 X Externally illuminated fascia sign and 1 X Non illuminated window graphic sign - Retrospective Burger King Queensgate Shopping Centre Westgate Peterborough •

**Planning Application(s) affecting the character or appearance of a Conservation Area and setting of a Listed Building:**  
Ref: 13/00020/HHFUL Castor Proposed store to side of existing garage Land Opposite 2 High Street Castor Peterborough PE5 7BB • Ref: 13/00029/HHFUL Glington Front facing dormer window and first floor rear extension The Elms 7 Rectory Lane Glington Peterborough • Ref: 13/00032/HHFUL Castor Installation of french doors to ground floor garage and construction of two new dormers to replace existing velux windows on first floor 47 Peterborough Road Castor Peterborough PE5 7AX • Ref: 13/00080/HHFUL Maxey Construction of single storey rear extension to kitchen and side extension to garage 9B Castle End Road Maxey Peterborough PE6 9EP •

**Development which affects a Right of Way to which Part III of the Wildlife and Countryside Act 1981 applies:**  
Ref: 12/01065/OUT Peterborough Construction of 2 x 1 bed flats and 5 studio flats Former Coal Yard River Lane Peterborough PE3 6BZ • Ref: 13/00019/FUL Wittering Removal of existing guard hut and replacement with new masonry structure with pitched roof Royal Air Force Wittering Great North Road Wittering Peterborough • The applications may be inspected online at [www.peterborough.gov.uk/publicaccess](http://www.peterborough.gov.uk/publicaccess) including the internet terminals in public libraries and online at the **Customer Service Centre at Bayard Place, Broadway** [opening times are 9am-5pm Monday/Tuesday/Thursday/Friday and 11am-5pm on Wednesday - excluding Bank Holidays]. Comments should be submitted to the Head of Planning, Transport and Engineering Services no later than 21 days from publication date - please see the Council's website [www.peterborough.gov.uk/representations](http://www.peterborough.gov.uk/representations) on how to comment.

### PETERBOROUGH CITY COUNCIL

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## Public Notices



Cambridgeshire  
County Council

### RURAL BUSINESS OPPORTUNITIES - LAND FOR LET

Prospective tenants are invited to apply for a tenancy from 11th October 2013:

- **Marshalls Farm, Farcet** - 98 hectare arable holding with house and buildings
- **Kings Farm, Horningsea** - 63 hectare arable holding with a 28,800 m<sup>3</sup> capacity reservoir, house and building
- **Flaggrass Hill Farm, March** - 34 hectare arable holding with buildings
- **Alley Farm, Wisbech** - 52 hectare arable holding with bungalow and building
- **Needham Farm, Elm** - 32 hectare high quality bare land holding. May be available in two lots.
- **Rowells Farm, Warboys** - 108 hectare holding with a large detached house and buildings.
- **Selwyn Lodge Farm, Wisbech St Mary** - 44 hectare bare land holding.
- **Betty's Nose Farm, Benwick** - 3 hectare holding with a semi detached house and buildings. Potential for non agricultural use.
- **Vector Farm, Elm** - 6 hectare arable holding with house, but no buildings
- **Church Farm, Quy** - 1 hectare arable holding with house. Buildings may be available.

Earlier entry may be available on some of the land and houses by agreement. These holdings will be offered for a minimum 5 year term and are aimed at people wanting to establish independent rural businesses.

Full details available from:  
<http://www.cambridgeshire.gov.uk/council/property/estate/farms/farmstolet>  
For an informal discussion please contact Sarah Shepherd on 01223 699671 or by email at [Sarah.shepherd@cambridgeshire.gov.uk](mailto:Sarah.shepherd@cambridgeshire.gov.uk)  
View days will be held on 5th & 7th February 2013. Please see the particulars for the open day for each farm.  
Closing date for applications is Friday 22nd February 2013.

[www.cambridgeshire.gov.uk](http://www.cambridgeshire.gov.uk)

### PETERBOROUGH CITY COUNCIL LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

NOTICE IS HEREBY GIVEN that Peterborough City Council intends to consult on its policy regarding Hackney Carriage and Private Hire licensing, in respect of the following categories:

1. Conditions of Fitness for Hackney Carriage Vehicles (Peugeot E7)
2. Vehicle Testing
3. Driver Badge Renewal Frequency
4. Limousine and Speciality Vehicles
5. Private Hire Operator Conditions
6. Relevance of Convictions and Cautions
7. C.C.T.V

The consultation will start on Friday 1 February 2013 with the document being available for public inspection (free of charge) on the Council's website by following the link below and at the Council offices.

[www.peterborough.gov.uk/taxilicensingconsultation](http://www.peterborough.gov.uk/taxilicensingconsultation)

A copy can be obtained during normal office hours from the reception at Bayard Place, Broadway, Peterborough or Town Hall, Bridge Street, Peterborough.

If you wish to make representations concerning any of the proposals contained within the consultation document you should send them by email to [lpc@peterborough.gov.uk](mailto:lpc@peterborough.gov.uk) or in writing to the Licensing Consultation Officer, The Licensing Team, 4th Floor, Bayard Place, Broadway, Peterborough, PE1 1HZ to arrive on or before Thursday 25 April 2013. (Please quote reference number lpc01/2013 in your correspondence)

Any changes to the policy will be introduced following full consideration of the responses received and the approval of the Licensing Committee. Until further notice all existing policies and conditions remain unchanged.

Please note that all representations received may be considered in public by the Council and that the substance of any representations together with the name and address of the person making it could become available for public inspection.

The City of Peterborough  
Bright Street Eastbound  
(Temporary Prohibition of Through Traffic)

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## PETERBOROUGH CITY COUNCIL TAXI & PRIVATE HIRE LICENSING CONSULTATION

### TESTING FOR LIMOUSINES & SPECIALITY CARS FOR HIRE

Since the implementation of Section 53 of the Road Safety Act 2006, there is a need to licence Limousines & Speciality Cars for Hire.

We confirm that Amey have met with VOSA who have inspected our Workshop in Nursery Lane and confirmed that we would be suitable and able to carry out testing on Limousines and Speciality Cars for hire.

- **Roadworthiness**

The vehicles must hold a valid Single Vehicle Approval Certificate which comprises a visual examination of a vehicle by VOSA and certifies its safety and roadworthiness.

- **Vehicle Testing**

Vehicles must be submitted for testing twice a year to the appropriate class MOT standard to ensure that vehicles licensed by PCC are maintained to high standards and remain safe. The inspections would be recorded on a separate inspection sheet to incorporate the additional standards.

As part of the legislative requirements for Limousines & Speciality Cars, Amey would include the following items as part of the vehicle testing:

- **Correct signage displayed**
- **Maximum Passengers**
- **Seating/Seat Belts (maximum of 8)**
- **Tyres**
- **Fire Extinguishers/First Aid Kit**
- **Tinted Glass**
- **Appropriate insurance**

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## **APPENDIX 4**

### **Proposed Licence Conditions (Draft)**

#### **Limousine and Speciality Vehicles**

Peterborough City Council reserve the right to consult with VoSA (Vehicle & Operator Services Agency) if it believes a vehicle does not meet the standards set out in the latest version of their document for Guidance for Limousine Operators. The authority may refuse any vehicle upon application that does not meet the criteria.

It is the responsibility of each applicant to ensure that no more than 8 (Eight) passengers are ever transported in the vehicle at any one time. Seating capacity can be defined by the number of seating positions, which again can be defined by sculpting in the seat and/or seatbelts. When signing the vehicle licence application you are confirming that you will adhere to this.

On application for a limousine vehicle licence the applicant must be able to prove that the vehicle is of an approved standard to be used on the UK highway. If a vehicle is less than ten years of age it will require an IVA (Individual Vehicle Approval) certificate, a current MOT test certificate and a V5 vehicle registration certificate. Any vehicle over ten years of age will require a current MOT test certificate and a V5 vehicle registration certificate.

If any applicant is unsure how to obtain the relevant registration documentation, they should contact DVLA and/or VoSA.

Limousines and speciality vehicles should ideally be Chauffeur driven vehicles, and will not be permitted to be used for standard day to day private hire work.

For the licensing of prestige cars each vehicle must comply with the Road Vehicle (Construction and Use) Regulations. It is expected that the type of vehicle relevant to this category of licensing would be a Rolls Royce, Daimler, Bentley, Jaguar or other high end models from manufacturers such as BMW or Mercedes Benz however this list is non-exhaustive and approval will be at the councils discretion; Also incorporated into this section would be vintage or classic cars. Other vehicles that the authority may be asked to licence could be Kit cars, or something of a more retro nature such as those from television, examples being a Ford Capri or a Reliant three wheeler.

All vehicles when presented for inspection must have all relevant documentation such as the MOT test certificate and a V5 vehicle registration certificate.

All speciality vehicles should ideally be Chauffeur driven vehicles, and will not be permitted to be used for standard day to day private hire work.

Peterborough City Council reserve the right to consult with VoSA (Vehicle & Operator Services Agency) if it believes a vehicle does not meet the standards of road worthiness as set out in the Categorisation of vehicle defects.

It should be noted that at the time of writing there is an exemption under the Local Government (Miscellaneous Provisions) Act 1976, when vehicles are used for weddings and funerals. However, this may change once the results of the law commission consultation are known, and changes made to legislation.

#### **1. Licensing Requirements**

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- 1.1 The general conditions imposed by Peterborough City Council (hereafter referred to as the Council) for Private Hire Vehicle Operators, Drivers and Vehicles will be applicable to the licensing of stretch limousines unless amended by the following provisions.
- 1.2 The type of work undertaken by stretch limousines 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 which are:
  - Prom nights
  - Theatre trips
  - Hen nights
  - Stag nights
  - Party trips
  - Race days

or any other similar events considered by the Council to be special in nature. However, vehicles used solely for weddings and funerals are exempt from the requirements of private hire licensing.

### 2. **Private Hire Operators Licence**

- 2.1 Persons taking bookings for private hire work using stretch limousines will be required to hold a private hire operator's licence issued by the Council.
- 2.2 All bookings of a limousine for use as a private hire vehicle must be made through a licensed private hire operator. Any vehicle licensed by the Council will only be used for hire under the terms of a private hire operators licence already issued or granted to an operator within the District or to any new licensed operator.

### 3. **Private Hire Drivers Licence**

- 3.1 Any person driving a stretch limousine or speciality vehicle for private hire will be required to be licensed as a private hire driver by the Council.

### 4. **Stretched Limousine - Definition**

- 4.1 A stretch limousine is defined as a motor vehicle that has been lengthened by the insertion of an additional body section and modified by an authorised coachbuilder that is capable of carrying up to but not exceeding 8 passengers. There will be no age limit for first registration and no maximum upper age limit, subject to the vehicle being mechanically and physically maintained in accordance with the provisions of the Council's standard conditions relating to private hire vehicles.
- 4.2 In order for the limousine to be considered for licensing, the applicant must prove that the "stretch" was carried out by the manufacturer or by a coachbuilder approved by the vehicle manufacturer. American limousines must have been built by an approved coachbuilder under the QVM programme, (Qualified Vehicle Modifier) for Ford vehicles or the CMC programme (Cadillac Master Coachbuilders). The onus is placed upon the applicant to prove that the vehicle meets the prescribed standards.

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4.3 Once licensed as a private hire vehicle, the limousine will be subject to any statutory requirements imposed by Part II of the Local Government (Miscellaneous Provisions) Act 1976.

4.4 Stretch limousines will be regarded as luxury vehicles used for special events. The use of such a vehicle for standard private hire work is not considered to be appropriate.

### 5. Vehicle Testing

5.1 A stretched limousine vehicle will be subject to a **twice yearly mechanical examination** at intervals to be specified by the Council at its authorised testing station (TBC) to determine its safety and suitability for the type of work for which it is to be licensed. This will apply to all stretched limousines regardless of age, date of import or date of registration. **A licence for a stretched limousine will be issued for a period of 6 months only**, renewal subject to a satisfactory retest.

5.2 The Vehicle Registration Document V5 must indicate in the field "Type Approval Number" that it has undergone one of the following approvals and meets the technical standards of either:

- a European Whole Vehicle Type approval, or
- a British National Type approval, or
- an Individual Vehicle Approval (IVA) (formerly known as the Single vehicle Approval scheme (SVA)).

5.3 Where applicable, the Vehicle Identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.

5.4 Documentation is to be provided proving that the 'stretch' was performed by the manufacturer or by a coachbuilder approved by the vehicle manufacturer e.g. American limousines must have been built by an approved coachbuilder under the QVM programme for Ford Vehicles or the CMC programme for Cadillac Vehicles.

5.5 A plate on the door pillar shall confirm the total weight of the vehicle.

5.6 DVLA V5 or equivalent shall be produced to authenticate registration.

### 6. Vehicle Requirements

6.1 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).

6.2 Where applicable, an installation certificate must be produced from a Liquefied Petroleum Gas Association (LPGA) Approved UK Vehicle Conversion Company, in the case of vehicles converted to run on LPG.

6.3 The vehicle must display a valid road vehicle excise licence disc.

6.4 Vehicles may either be left or right hand drive.

6.5 Vehicles must be fitted with at least 4 doors.

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6.6 All seats shall be fitted with appropriate seat belts, which must be fitted in accordance with the current Road Vehicle (Construction & Use) Regulations.

6.7 Stretch 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).

### 7. **Passengers**

7.1 The limousine's seating capacity must have been reduced where necessary to a maximum of 8 passengers.

7.2 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.

7.3 Passengers must not be carried in the front compartment.

### 8. **Insurance**

8.1 The vehicle must have 'hire and reward insurance' to carry out private hire work and a full policy of insurance must be presented before the vehicle is licensed. A insurance cover note will not be accepted.

### 9. **Alcohol**

9.1 Alcohol shall only be served while the vehicle is stationary and afterwards all bottles shall be placed in a secure receptacle.

9.2 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.

9.2 If there are any passenger's below the age of 18, then there shall be no alcohol on the vehicle.

9.3 Any 'glassware' in the vehicle must be made of either shatterproof glass or plastic.

### 10. **Entertainment**

10.1 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).

10.2 Entertainment provided in the vehicle shall be under the terms of any relevant legislative requirements. Activities which are prohibited within the vehicle are:

- Striptease
- Lap Dancing
- Pole Dancing
- Any other activity or performance of a like kind.
- The driver of the vehicle shall not knowingly permit to be played any video, DVD or other recording image that is unsuitable having regard to the age of

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passengers being conveyed. In deciding what a suitable regard shall be, the driver must take notice of the classification of the video, DVD or recorded image awarded by the British Board of Film Classification

### 11. **Advertisements**

- 11.1 No signs, notices or any other markings will be displayed on or in the Vehicle without the written permission of the Council. There is no requirement for the vehicle to display a door sign denoting the operator's details.
- 11.2 In any advertisement publicising their limousine service, the operator must state that the vehicle is only licensed to carry a maximum of 8 passengers and a sign to this effect must be displayed within the passenger compartment of the vehicle.

### 12. **Right of Appeal**

- 12.1 Under Section 48 (7) of the 1976 Act, any person aggrieved by the refusal of the Council to grant a Private Hire Vehicle Licence, or any conditions specified in such a licence may appeal to a Magistrates' Court.
- 12.2 Please note that failure to comply with any of the aforementioned conditions including the general conditions relating to private hire vehicles may result in the commencement of criminal proceedings, and/or in the suspension or revocation of an existing licence, or in the refusal to issue a new licence.

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